Govt

Journal of Administration Overseas

VOLUME VI/NUMBER 3/JULY 1967

SEVEN SHILLINGS Quarterly net; Annual Subscription 28s. including postage

DARTMOUTH COLLEGE
AUG 29 1967
LIBRARY

CONTENTS INCLUDING

Public Enterprise as an Instrument of Development
by Chi Yuen Wu

Three Years on from Ditchley
by F. S. Richardson

Local Government in Tanzania: Part II
by Stanley Dryden

BOOK REVIEWS
by Professor Arthur Phillips, Tom Soper,
Rowland Hudson, Sir Harold Shoobert

Published for the Ministry of Overseas Development
by HER MAJESTY'S STATIONERY OFFICE

This *Journal* is edited in the Development Administration and Training Department of the Ministry of Overseas Development. It aims at providing a medium for the exchange of information about administration at all levels, whether in local government or in the organization of central departments. It also covers land tenure. Nothing in the *Journal* should be read as necessarily representing official views or policy unless this is specifically stated. The responsibility for facts and opinions expressed in signed articles rests with the authors.

Notes to Contributors

Articles for publication in the *Journal* from serving officers and others with knowledge and experience in the field covered by the *Journal* are welcome and should be addressed to the Editor, Development Administration and Training Department, Ministry of Overseas Development, Eland House, Stag Place, Victoria, London S.W.1.

Books for review, reports and communications for the Editor should be similarly addressed.

Twenty off-prints are supplied free of charge on request to contributors whose articles are published. Requests for off-prints should be made at the time articles are submitted. Off-prints in excess of twenty are charged for at a rate relative to the length of the article.

Orders and subscriptions should be sent to Her Majesty's Stationery Office at the addresses given below.

The Government does not accept responsibility for any of the private or trade advertisements included in this publication.

Published by

Her Majesty's Stationery Office

49 High Holborn, London, W.C.1 — 423 Oxford Street, London, W.1

13A Castle Street, Edinburgh 2 — 109 St. Mary Street, Cardiff

Brazennose Street, Manchester, 2 — 50 Fairfax Street, Bristol, 1

35 Smallbrook, Ringway, Birmingham 5 — 7-11 Linenhall Street, Belfast 2

or through any bookseller

Price 4s. net, annual Subscription 18s., including postage

© *Crown copyright 1967*

Journal of Administration Overseas

Volume VI/Number 3/July 1967

Contents

Editor's Notes 147

Public Enterprise as an Instrument of Development, *by Chi-Yuen Wu* 149

Three Years on from Ditchley, *by S. S. Richardson* 159

Local Government in Tanzania, Part II, *by Stanley Dryden* 165

Local Government in Pakistan, *by Malik M. Siddiq* 179

District Magistrate and Police Superintendent in India: the Controversy of Dual Control *by Haridwar Rai* 192

Quarterly Notes 200

Book Reviews 207

Other Books Received 214

Editor's Notes

DEVELOPMENT ADMINISTRATION is primarily concerned with the major problems arising in developing countries faced with the need to achieve a rapid increase in productivity and in standards of living. In many such countries a national plan places upon the public sector the main responsibility for large scale economic development; invariably this involves the creation of new organizations (e.g. public corporations) and places an added burden on the governmental infrastructure and strains the administrative capacity of the government machine to implement the plan efficaciously. Faced by a political decision which emphasises the part to be played by the public sector, the immediate administrative problem is to transform the governmental machine into an effective instrument for development.

We are therefore particularly glad to publish in this issue Mr. Chi-Yuen Wu's article on Public Enterprise as an Instrument of Development; while the study is specially directed to Asia and the Far East and therefore to the World's most populated region, it is of very relevant concern to all developing countries.

The reader is reminded that 'the entire history of Western industrial growth in the nineteenth and early twentieth centuries has been one of taking great risks and many failures': a developing country embarking on a public enterprise should not therefore be over-cautious, nor, on the other hand, should it take risks unless they are calculated and based on the best available up-to-date information.

Mr. Wu emphasises that the final outcome, the success or failure of any public enterprise, depends more on management than on any other factor. He provides a valuable broad picture of the place, organization and control of public enterprise in the economy of developing countries and concludes with a call for an inter-disciplinary approach by economists and administrators: they should build an integral framework where public enterprises are the declared instrument for plan implementation; governments are urged to ensure that the problems of public enterprise are related to the general problem of national development (not 'buried under studies on narrow techniques and detailed administrative procedures' . . .) and 'to approach all questions from the viewpoint of improving the effectiveness of public enterprise as an instrument of coherent and co-ordinated national development'.

We publish the first of two articles being contributed by Mr. S. S. Richardson before his final departure from Zaria after a notable tenure of office at the Institute of Administration. He discusses the trends in Africa over the past three years in relation to training Institutes conducted respectively as independent, University and government establishments. He stresses that wherever the training, there the national objectives for social and economic development must be furthered; otherwise development administration in an emergent country would remain no more than a sophisticated catch-phrase.

If government control of major public enterprises must necessarily remain at the centre, the success of a great part of a development plan depends, as Mr. Heseltine emphasised in our January issue, on implementation at regional level with the active participation of the people concerned. Here the part that local authorities can take is of the greatest importance. We include the second part of Mr. Dryden's article on local government in Tanzania, where recent reforms seek to direct the efforts of local authorities towards the overriding objective of Government – the acceleration of rural development. The peculiar problems created by the integration of the elected authorities with the ruling party and the long term developments needed if local government is to prove really effective, are critically examined with insight and sympathy.

How local government in Pakistan has been reformed by the Basic Democracies Order of 1959 and the Municipal Administration Ordinance of the following year is described by Mr. Siddiq. The system has been established but Mr. Siddiq believes that if it is to stimulate public confidence and interest and to be capable of effective local government, action is needed to define the revenue raising sphere assigned to it and to provide the necessary legislation for its implementation.

Finally we publish an article, by Mr. Haridwar Rai, on the controversy of dual control in India by the district magistrate and police superintendent. Development administration is, of course, concerned with the regulative functions of government as well as its creative aspects. The citizen depends upon his government to maintain law and order – without which no development can be sustained, to provide just redress for his wrongs, understanding and human sympathy for his personal difficulties. These are fundamental needs for the citizen and one important aspect in the context of India is that which Mr. Rai discusses. He maintains that the citizen is best off if the administrator has some degree of control over police functions. Many will agree, provided that judicial and executive functions are adequately separated.

Cambridge Conference

The subject for the next Cambridge Conference on development, to be held Easter 1968, will be "The Rural Base for National Development". Dr. R. E. Robinson of St. John's College has accepted an invitation to be chairman once again.

Public Enterprise as an Instrument of Development

by CHI-YUEN WU

This is a paper presented on 6th October, 1966 by the author at the tenth session of the Working Party on Economic Development and Planning, United Nations Economic Commission for Asia and the Far East (ECAFE), which was organized by ECAFE with the co-operation of the United Nations Public Administration Branch and held in Bangkok, Thailand, 3-10 October, 1966. The author is the Head of the United Nations Public Administration Branch and concurrently the Senior Deputy Director of the Bureau of Technical Assistance Operations. The views expressed herewith are the views of the author and do not necessarily represent those of the United Nations.

Introduction

This paper deals with the administrative aspects of public enterprises, with emphasis on their role as an instrument for economic development. In this paper we shall make full use of the conclusions and recommendations made by the United Nations seminar on Organization and Administration of Public Enterprises, and concentrate on the situation of the countries in Asia and the Far East.[1]

Public Enterprises and National Development

For a long time public enterprise has been established to further government objectives. These objectives include the acquisition of profit by the state, the control of monopolistic undertakings, the provision for defence needs, and the promotion of cultural, educational and social purposes, but our primary concern here is with those public enterprises which have as their objective the promotion of economic growth and which serve as instruments for economic development. The place which public enterprises occupy in the economy of a country depends partly on its economic and political system and partly on such practical considerations as whether an industry could be established if the government did not assume the responsibility for starting it.[2]

[1] See *Report of the United Nations Seminar on Organization and Administration of Public Enterprises*, which was adopted by the seminar on 3 October 1966 and will be issued as United Nations document ST/TAO/M/35. Hereafter in this paper we shall call this Seminar the Geneva Seminar. See also United Nations Public Administration Branch, *Organization and Administration of Public Enterprises*, Report of Preliminary Study, prepared by Prof. A. H. Hanson on the basis of country reports. This report serves as the basic paper for the Geneva Seminar. It will be issued, together with other papers, as United Nations document ST/TAO/M/36. In a way, this paper will supply some additional information on the experience of countries in the region.

[2] United Nations Public Administration Branch, *Organization and Administration of Public Enterprises*, Report of Preliminary Study, pp. 18-19 (para 25). A list of 'pragmatic' considerations which impel a government to expand public enterprise is given therein.

In Asia and the Far East, the extent and significance of public enterprise in the total economic system vary from country to country. There are areas where the economy is centrally planned and public enterprise predominates in the fields of industry, trade and services. There is Burma[3] which has, since 1963, embarked on a policy of wholesale nationalization of industry and commerce and which has a public sector embracing a wide range of manufacturing industries and mining, as well as power and transport facilities. Other countries in the region have a mixed economy, and the size and permanency of the public enterprises in a country depend on the basic policies of the government. A more prominent and permanent position has been assigned to public enterprises in countries like Ceylon, India or Indonesia. In Indonesia, the government has since 1951 reserved certain defence productions, public utilities, and manufacturing industries to the State[4]. In India, the government's Industry Policy Resolution of 1956 adopted the socialistic pattern of society as the national objective, which together with the need for rapid development requires that "all industries of basic and strategic importance, or in the nature of public utility services, should be in the public sector and that other industries which are essential and require investment on a scale which only the State in present circumstances could provide, have also to be in the public sector".[5] In Ceylon, in addition to public utilities, the government has set up State industrial corporations for a variety of heavy and light industries.[6]

In the Republic of Taiwan, Japan, the Republic of Korea, Pakistan, the Philippines, Thailand, the Republic of Viet-Nam, and a number of other countries in the region,[7] the declared government policy has been active encouragement of private enterprise. Because, however, of the failure of private enterprise to obtain the necessary resources, or to assume the risks involved, or to have an interest in developing certain lines of production, a number of countries in this group (for example, Pakistan) has been compelled to establish an apparatus of public enterprises far more extensive than originally envisaged. In such countries the governments pioneer in the complex, capital-intensive, slow-yielding, and risky industries. Many countries in this group (the Republic of Taiwan, Japan, the Republic of Korea, Pakistan and the Philippines) have also adopted the policy of selling, at an appropriate time, public enterprises (primarily those earning a profit) to the private sector.[8] There are not many countries which have been able

---

[3] ECAFE secretariat, *Country Study in Burma*, paper submitted to the Asian Conference on Industrialization, 6-20 December 1965, Manila.

[4] ECAFE secretariat, *Country Study on Indonesia*, paper submitted to the Asian Conference on Industrialization, 6-20 December 1965, Manila. See also *Public Industrial Management in Asia and the Far East* (ST/TAO/M/15), p. 78.

[5] See S.S. Khera, *Government in business* (Bombay, 1963), pp.14.
See also Khera, *Management and Control in Public Enterprise* (Bombay, 1964).

[6] These industries are iron and steel, chemicals, fertilizer, petroleum, salt, paper, ceramics, cement, rubber tyres and tubes, textiles, footwear, plywood, hardware, flour mills, oils and fats, sugar, as well as small industries. See V. Perampalam, *Organization and Administration of Public Enterprises in Ceylon* paper presented to the Geneva Seminar, p.2.

[7] See *Labour Management Relations in Public Industrial Undertakings*, paper prepared by ILO for the thirteenth session of its Asian Advisory Committee held in Singapore in November-December 1966, pp. 8-9.

[8] For the experience of the Republic of China (Taiwan), see J. C. Huang, *Transfer of Public Enterprise to Private Ownership*, paper presented to the Geneva Seminar.

to limit their public enterprises to public utilities and infra-structural undertakings.

On the whole we can say that public enterprises have expanded continuously in the region. The expansion has been due, especially in recent years, mainly to the establishment of new public enterprises rather than to nationalization. There were many exceptions such as the nationalization of foreign-owned private enterprises in Indonesia, the nationalization of the oil industry in Iran, and the nationalization of airlines, life insurance and certain banking institutions in some countries. But recently there have been few such cases.

Creation of Public Enterprises

The question of what kind of economic activities should go to the public sector is a policy question outside the field of public administration. Once the broad economic and industrial policies have been decided upon, it would be most desirable to enlist the help of administrators at as early a stage as possible. For the creation of a public enterprise, for instance, both the technicians and the administrators should be asked to study the technical, economic and administrative feasibility of a project. In Asian countries, as in developing countries elsewhere, the decision to create a new public enterprise is often made on such general considerations as industrial potentialities, import substitution, comparative costs and expected demand.[9] Not in all cases have detailed cost-and-benefit studies been made. In the cases where cost-and-benefit studies are made, the question of possible alternative uses of resources is not often examined, nor is adequate attention being given to alternative methods and techniques of producing a particular product. Even more frequently the question of administrative capability to implement the project has been overlooked.

In a cost-and-benefit study, one should include both direct and indirect benefits and take a long-term point of view. Many projects which are really beneficial to a country could appear to be 'uneconomical' from a narrow 'cost-accounting' viewpoint.[10] On the one hand, a development orientated government should not be overcautious and should be ready to take risk. As Professor Gross rightly points out, 'the entire history of Western industrial growth in the nineteenth and early twentieth centuries has been one of taking great risks and many failures'.[11] On the other hand, it is equally important that the risks to be taken are informed and calculated risks, based on best available information and calculation through cost-and-benefit study or feasibility survey. Another point which may be mentioned is the desirability of a government to undertake more feasibility studies so that feasible projects are ready for execution if and when resources should become available. Such a step would have two distinct advantages. First, the availability of well-prepared projects would give the planning authorities more alternatives for using available resources to meet certain broad national objectives. Second, this may facilitate the inflow of foreign capital. According to Albert

[9] See H. K. Paranjape, *Regional Report on India, Iran, Iraq, Pakistan and the Philippines*, paper submitted to the Geneva Seminar, pp. 5–7.

[10] *The Administration of Economic Development Planning: Principles and Fallacies* (ST/TAO/M/32 or E/CN.11/DPWP.10/1), prepared for the United Nations Public Administration Branch by Professor Bertram M. Gross, p.34.

[11] *Ibid*, p. 20.

Waterson, there exists a 'project gap' due to a serious shortage of well prepared projects relative to the funds available to finance good projects.[12] It is, however, important to bear in mind that the preparation of feasibility studies and bankable projects is a very costly operation and no developing country can afford to divert scarce resources to prepare for them if the probability of their being implemented is small.

Objectives for an Individual Enterprise

In addition to the broad national objectives, there must be specific objectives for an individual enterprise. In countries with development plans, such objectives normally take the form of directives from the planning machinery. In order to facilitate the implementation of these objectives, it would be best if the management of the public enterprises is fully consulted at an initial stage of plan formulation. The involvement of the managerial personnel of the public enterprises in the formulation of targets and objectives would not only make for the more ready implementation of the plan, but would also make the personnel concerned work more enthusiastically for their fulfilment.

The managers of public enterprises should administer them by reference to the objectives, instead of by reference to the book of procedures. It is important to point out that successful administration and efficient implementation would only be possible (a) if the objectives are clearly defined and (b) if the administrators at all levels are not only fully aware of such objectives, but also use them as their administrative guides. An analysis of the actual practices in the countries of the region, like most other developing countries, show that the objectives are often not clearly defined. Sometimes an enterprise receives more than one directive (for example, one from the finance ministry emphasizing the objective of economy and one from the planning ministry highlighting the objective of development).

Objectives should not only be clear, but they should also be feasible. One of the frequent mistakes in planning has been to set a target so high that it cannot be achieved. Even in a country which has considerable experience in planning like India, a study of its planning process reveals that the planners have a persistent tendency to over-estimate the capacity of the implementing agencies and to assume that they possess abilities and attitudes which they neither actually possess nor can readily acquire.[13] The result of such an approach is not to make the job of the management of a public enterprise more challenging, but to become an important cause for demoralizing its staff.

In a country with a development plan, normally the plan sets a target for a particular branch of the economy, which is broken down into specific targets for each enterprise within that branch, unless an enterprise is so important that the plan itself sets the target. The targets may take many different forms, such as targets for production, targets to yield a certain level of profit, targets to save foreign exchange, to provide certain levels of employment, to

---

[12] Albert Waterson, *Development Planning: Lessons of Experience* (Baltimore, 1965) p. 325.

[13] A. H. Hanson, *The Process of Planning: A Study of India's Five-Year Plans 1950–1964* (London, 1966) pp. 531–532. Professor Hanson in this book analyzed the Indian planning process from the standpoint of public administration. Reference should especially be made to pages 267–310 and 525–538.

achieve certain non-economic objectives such as 'the spreading of technical culture', assistance in the development of a backward area, rendering of certain social services, or a combination of different targets. The Geneva seminar found that 'it cannot be said that any objective is absolutely wrong, for their are circumstances under which even the most "uneconomic" objectives may be entirely appropriate, but it is essential to make a selection from the range of possible objectives or to arrange them in some clear order of priority. Unless this is done, not only are national purposes unlikely to be carried out but the morale of the enterprise managers is likely to be undermined, since every critic of management will have a different criterion by which he assesses its performance.'[14] If the objectives include social or other intentions which involve the enterprise in otherwise avoidable economic loss, it is very important that their impact on the enterprise's performance should be clearly seen, so that management is not unjustly condemned for failure to show a profit or to break even. In fact, normally, it would be better to subsidize the enterprise in respect of the losses which it has incurred as a result of pursuing these non-economic ends. The Geneva seminar reached the conclusion that even for a public enterprise whose target is not one of profitability, 'the importance of making a surplus should nevertheless be emphasized, particularly in developing countries. This does not mean that every enterprise should aim at a surplus. Infra-structural enterprises, for instance, should often aim at no more than covering their expenditure from their revenue. Industrial enterprises, on the other hand, should normally aim at something very much more than a 'break even' position, as they can be expected to contribute significantly to the process of capital accumulation, the surpluses either being ploughed back into the enterprise itself or made available for other enterprises through the Ministry of Finance or the Treasury. Such accumulation of capital by public enterprise is particularly important in countries where the raising of revenue for developmental purposes through the taxation system or the floating of public loans is difficult or impracticable. Indeed, if a public enterprise is not expected to make a profit this should be specifically stated in its terms of reference. Otherwise there is always the danger that non-profitability which is the product of poor management will be attributed after the event, to the pursuit of objectives other than profitability.'[15]

Legal Status and Organizational Forms

Given the objectives, the major concern of a public enterprise (besides economic, financial and technical matters) is how to ensure efficient administration and management so that it can fulfil the targets set and serve as an effective instrument for economic development.

The first questions raised in this connection are often those of the legal and organizational forms. In earlier days, considerable importance was attached to them and they were considered to be the instruments to ensure the requisite 'autonomy' for a public enterprise. Thus, the Rangoon seminar stated that 'the single most critical control point is the law, decree or other basic authority providing for the creation of a public enterprise. This is

[14] Quoted from Section I of the report of the Geneva Seminar (ST/TAO/M/35).
[15] Quoted from Section I of the report of the Geneva Seminar (ST/TAO/M/35).

likely to determine in large measure all other organizational relationships'.[16] It is now generally agreed, as indicated in the report of the Geneva seminar, that such an emphasis on legal forms represents a considerable exaggeration; that the alleged decisive influence of the law regulating the public enterprises of a country has been proved illusory; and that there is no discoverable correlation between the legal rights and obligations of a public enterprise and the quality of its performance. The legal structure of a public enterprise is, however, important in providing its management with certain opportunities (which may or may not be taken) and does impose certain restrictions upon the enterprise, which, if not of an appropriate kind, could indeed be crippling. Until inappropriate restrictions, if any, are removed or modified, management may find it difficult, if not impossible, to achieve an adequate standard of commercial operation. For instance, 'if the law prescribes that the budgetary and accounting methods of the enterprise shall be the same as those used in government departments or that its staff shall be subject to the normal civil service regulations, it is unlikely that even the most able management will produce good results.'[17]

The question was raised at the Geneva seminar as to whether anything would be gained by passing a general law applying to all public enterprises. The seminar found that a law which applies to all public enterprises without exception could easily become a straitjacket, particularly if it attempts to impose common organizational forms, as distinct from common patterns of public accountability, on the enterprises falling within its scope. Public enterprise is so varied in its character and purposes that the attempt to impose uniform legal regulations upon it, even in respect only of accountability, can be unwise. Most countries in the region do not have a general law governing public corporations. The Philippines has such a general law, but it makes special provisions for different kinds of public enterprise. It also has a number of public enterprises established under the law governing joint stock companies. Many countries in the region, of which India is an example, subject a large number of their manufacturing enterprises to the provisions of the company law, with or without modifications. Some countries, such as Pakistan, though without a general law, have legislation applying solely to public enterprises and aimed at the prevention of specific abuses, but not at the creation of common structural characteristics.[18]

Among the questions already discussed at the Rangoon seminar was that of the organizational forms suitable for public enterprises. That seminar analyzed the characteristics as well as the advantages and disadvantages of the three classical forms of organization, namely, (1) government departmental organizations, (2) public corporations, and (3) mixed-ownership corporations. Countries in the region have all these principal forms of organization. Some of them have tried to relate the legal structure and organizational form of an enterprise to its purpose. In India, for example, the normal practice is to establish a public utility as a corporation operating under a special statute, and to establish the manufacturing and trading

---

[16] The first United Nations Seminar on public enterprises was held in Rangoon in March 1954. Its report was issued as *Some Problems in the Organization and Administration of Public Enterprises in the Industrial Field* (document ST/TAA/M/7).

[17] Quoted from Section II of the report of the Geneva Seminar (ST/TAO/M/35).

[18] See the Financial Safeguards Ordinance of Pakistan.

enterprises under the provisions of the company law. In countries which have established what is sometimes known as 'two tier' public enterprises, such as agricultural and industrial development corporations, the 'parent' body usually takes the form of a public corporation whereas its subsidiaries are established as companies. One should note, as pointed out by the Geneva seminar, that the difference between a corporation and a company may be more apparent than real. The articles of association may be so framed that the duties and obligations of a state company differ considerably from those of a private company, but approach very closely the pattern of a public corporation. In some countries, the companies law itself has been modified in order to accommodate the needs of companies which are owned by the state. For instance, the Indian Companies Act of 1956 imposed a larger measure of public accountability upon the state company than upon the private company. In view of the foregoing points, the seminar reached the following conclusion: 'What needs to be stressed is the great and increasing variety of public enterprises. This clearly points to the necessity for experiment in the field of legal and formal structure. Already there are many types of enterprise which cannot comfortably be accommodated within the three classical legal forms . . . Developing countries, therefore, no longer have any need to be hidebound by the experience of the more developed countries in respect of institution building. From the great variety of organizational forms now available to them for adoption they have to discover what works best under given circumstances.'[19] The important point is that in the selection of an appropriate organizational form, the essential *purpose* of the organization should always be kept in mind.

Autonomy and Control

Whatever may be the form of organization, it is important to ensure that a public enterprise is given the operating and financial flexibility necessary for the successful conduct of its business. But there is not, and cannot be, absolute 'autonomy' for a public enterprise. Public enterprises are established to further national objectives and their capital is provided by the Government. Effective controls must be designed to ensure public accountability and consistency with public policy. The question is how to establish the *organizational relationships* with a proper balance between 'autonomy' and control.

In the Asian and Far Eastern countries, as in most other countries, control of public enterprises is exercised mainly by the executive branch of the government. The general practice is to place a public enterprise under the supervision of the minister with responsibility for the area of the economy within which it operates. In some cases where the enterprises are of special importance, they may be placed under the chief executive (the President or the Prime Minister), as in the case of the Atomic Energy Commission in India, or that of a number of key enterprises in the Philippines. In some countries, attempts have been made to bring all public enterprises under one organization (for example, an Office of Economic Co-ordination in the Philippines or a Ministry of Production in India), but such attempts did not last long because of the number and complexity of the public enterprises.

---

[19] Quoted from Section II of the report of the Geneva Seminar (ST/TAO/M/35).

The Geneva seminar, while recognizing the need for some kind of co-ordination machinery among the controlling ministries, or a national institute for public enterprise, reached the conclusion that the practice of placing all enterprises under a single ministry regardless of their nature and purpose is unsatisfactory, except possibly in very early stages of economic growth.

Ministerial control takes the form of the issuing of policy directives, appointment and removal of directors and principal executives, and approval of specific managerial decisions, such as those relating to long-term programmes, major investments and sometimes prices. There seems to be a general agreement that the minister should normally abstain from interfering with the day-to-day management, and confine himself to policy direction.

In all countries, the Ministry of Finance has an important role to play (and sometimes even a more decisive role than the responsible ministry), because of its control over the funds required for capital and for other purposes by the public enterprises. Such a dual control would work only if the Ministry of Finance would refrain both from interfering excessively with the substantive policy direction of the responsible ministry and from participation in the management decisions of the enterprises.

The planning organization also has a role to play. In the Asian countries, the normal practice is for the planning organization to consult the ministries rather than the public enterprises, both in the process of the formulation of the plan and in its implementation.

In addition, there is legislative control, because of the ultimate authority of the legislative body (where such exists). It is the legislature which enacts the law whereby new enterprises are established, votes funds and performs other supervisory functions. It is, therefore, natural that it should exercise some control. Such control is conducted by a special parliamentary committee in the Philippines, India and Iran, and this is considered as an effective arrangement. The Geneva seminar pointed out the danger of the legislative body examining day-to-day management, because it may gravely undermine the autonomy which the enterprise ought to enjoy. In the countries of the region, the present role of many legislative bodies, with respect to established public enterprises, appears to be at best passive. In some countries, except when new funds are required, the legislative body may have no opportunity to review corporate operations.

In addition to the control of policy and management, there is also the formal and legal type of control, which aims at ensuring the correctness of the accounts of the enterprise and its conformity with legal provisions. The most important form of this type of control is government audit of the accounts. At the Geneva seminar it was generally felt that the traditional government audit and accounting procedure are usually unsuited to the needs of public enterprise. While commercial accounting is preferable to such traditional procedure, standard commercial accounting principles also do not completely meet the needs of public enterprise. Neither the government accounting system nor the standard commercial system is able to reflect adequately the contribution an enterprise makes to national development. It is suggested that more research should be made on designing an accounting system for public enterprise which would reflect the performance of an enterprise in terms of *value added* to the national income. Such an accounting system should be able to measure operational efficiency not only

of profit-making enterprises, but also enterprises which are not supposed to make profit or which must incur deficits in order to accomplish certain social or other non-economic objectives.

Management

While external relations with the Government, as well as legal and organizational form, have to provide the necessary conditions for the successful operation of a public enterprise, the final outcome depends more on management than on any other factor. The question of management, especially personnel management, was examined fully both at the Rangoon seminar and at the New Delhi seminar. The report of the Rangoon seminar devoted a special chapter to problems of personnel management (including recruitment, training, wages, salary and conditions of employment) as well as one on managerial policy and internal relationships.[20] Questions of management and measurement of management constituted the central theme of the New Delhi seminar.[21] At the Geneva seminar, attention was concentrated on top-level management and personnel administration. On this subject, as on all other subjects, the Geneva seminar highlighted the fact that a wide variety of forms of organization and arrangement are possible. In designing the appropriate form, policy-makers should think in terms of a number of possible alternatives rather than in terms of one specific form 'hallowed by convention or rationalized by doctrine'. Another recommendation of the Geneva seminar was to allow for possible variations between one sector, branch or even enterprise and another, according to the structure of the industry, its organizational needs and the character of its management problems. 'The purpose of any particular form of top-management organization is to facilitate effective performance. There is an evident need for further empirical testing of how specific forms, from among existing diverse forms in different countries, help or impede public enterprise performance. No definitive *a priori* answers can be given. This area of public enterprise organization is full of unresolved and controversial issues. To name only a few, there are the issues of one-man versus collegiate management, external versus internal boards, managing versus supervisory boards, and the optimum size and composition of boards. In the light of current practice, few acceptable rules can be laid down. No one form can be regarded as inevitable and universal, and there is more room for variation and adaptation than is usually assumed'.[22]

I do not propose to go into the details of all the management problems dealt with in the New Delhi seminar and the Geneva seminar; all I would like to say here is that management is the key to the success of a public enterprise and personnel is the key to a successful management. The top-management personnel, in particular, is most important. To get the right man on the top, to give him a suitable organization, to supply him with

---

[20] United Nations Document ST/TAA/M/7, pp. 46–54.

[21] *Public Industrial Management in Asia and the Far East*, a selection from the material prepared for a United Nations Seminar held in New Delhi in December 1959 (ST/TAO/M/15). The New Delhi Seminar was the second seminar on this subject organized by the United Nations, and the Geneva Seminar the third. The reports of the three seminars (documents ST/TAA/M/7, ST/TAO/M/15 and ST/TAO/M/35) constitute the United Nations contribution to the subject of the administration of public enterprises.

[22] Quoted from Section IV of the report of the Geneva Seminar (ST/TAO/M/35).

adequate resources, to accord him necessary freedom of action, especially on personnel administration, as well as to organize a good training programme for management personnel, would greatly increase the chance of a successful operation.

General Remarks

In conclusion, I would like to make a few general points: First, on the subject of public enterprise, as on other subjects relating to development planning, the economics profession and the public administration profession should join together and adopt an inter-disciplinary approach. On the one hand, there should be no under-estimation of the crucial role that the administrators can play in the implementation of economic plans, especially if public enterprises are the instrument for plan implementation. On the other hand, it would equally be mistaken for the public administration profession to go its own way. The only solution is to bring the economic and non-economic approaches together and to build an integral framework.

Another general point I would like to make is that when we deal with public enterprise or with similar subjects, we would be running the risk of a loss of perspective if we were to approach the subject in isolation or to allow ourselves to be buried under studies on narrow techniques and detailed administrative procedures and arrangements. It is important to relate the problem of public enterprise to the general problem of national development and to approach all questions from the viewpoint of improving the effectiveness of public enterprise as an instrument of coherent and co-ordinated national development.

Finally, in view of the wide differences in circumstances, and in the objectives of public enterprises, it is important to adopt a flexible approach. There can be no fixed formula for solving their problems which would be applicable to all public enterprises.

Three Years on from Ditchley

By S. S. RICHARDSON

Mr. Richardson is Director, Institute of Administration, Ahmadu Bello University, Zaria, Nigeria.

THREE years ago the Directors of Institutes of Administration in the Commonwealth discussed at Ditchley Park the relative merits of the independent Institute, the Institute within a University and the Institute established as a training department of government. A number of new countries in Africa were at the time on the point of taking decisions on these issues and the results would appear to confirm the division of opinion manifest at Ditchley in that some countries have opted for the University Institute and some for full control by the government of the national administrative training programme. Northern Nigeria has exploited both possibilities in an effort to extract maximum yield from her massive investment in training. No country in Africa appears to have experimented with an independent national institution although CAFRAD is a supra-national new comer in the field backed by multi-lateral assistance. It may be pertinent to consider how far the conclusions of the Ditchley Conference remain valid in the light of the experience gained since 1963 by institutions moulded in these various patterns. On the assumption that all African governments at least are wedded to some such objectives, the essential requirement remains, that an Institute should show a quick pay off in furthering national objectives for social and economic development. An Institute cannot function effectively in this role in isolation from the government (or governments) which it seeks to serve. Ivory towers, 'think tanks' and prophets crying in the wilderness are peripheral in their impact on governments seeking to grapple with the day to day problems of societies evolving as rapidly as are the new countries of Africa. Pressure of events forces changes of signals at a speed which confounds experts from more stable and more fully developed countries where the momentum of the economy and the established order of governmental procedures afford time for longer range planning based upon accurately founded statistical data. A failure by a training institution to train sufficient numbers of persons to fill a substantial proportion of vacancies in key administrative positions invites a harassed government to appoint unqualified persons or to accept crash programmes completely inadequate in terms of time and content. Hence the need not to permit the academic requirements of a University for entry qualifications and residence to inhibit unduly the development of an administrative training programme and to reduce the capacity of a faculty to meet the critical needs of the government flexibly. The alternative is the need to tolerate periodic injections of poorly qualified men into the public service to bridge the gap caused by the failure of the institution to produce. Nothing can wreck a programme and destroy the morale of students more quickly than such evidence that, in certain circumstances, a long period of professional training will be discounted by a government in desperate need of staff for day to day requirements.

The relative stability of many of the new African States in the immediate post independence period has proved illusory because the act of transfer of sovereignty by the colonial power is only one step in the process of decolonisation and the readjustments which must result therefrom. Most of the African Institutes must therefore measure up to the problem of devising training programmes for situations over which they have little control and for governments of a variety of patterns which have little in common. Nowhere in Africa is it easy to discern a *status quo* with any degree of permanence upon which to establish a basis for long range planning of training programmes and so the need for close and continuing collaboration with the government of the day towards achieving limited short range objectives is as urgent as ever it was and possibly more difficult to achieve than it was three years ago. If this appreciation of the situation is accurate does this mean that directors of Institutes in Africa are therefore compelled to devote the major part of their energies to 'crash' programmes or 'nuts and bolts' operations as so many of them seem to be doing? Such activities no doubt go far towards meeting the immediate needs of a government and enable an Institute to respond at short notice and flexibly to changes in political leadership and the structure of governments.

In such situations, the government directed Institute has a clear advantage in the task of satisfying the requirements of government which is not enjoyed by an Institute forming part of a University. A University based Institute, which is committed to training within a three or four year degree programme loses flexibility to switch signals to a considerable extent. A degree must be structured in relatively static and general terms to avoid upsetting the tempo of the work of students in mid-stream. There was an assumption at Ditchley Park which may not now be acceptable to the effect that whilst a University could provide 'long haul' training leading to academic and professional degrees and diplomas it could also at the same time fulfil the function of a Government Institute in providing in large measure for the shorter term requirements of staff development. I think that experience in Northern Nigeria has shown that, where a government can afford two institutions, the one within the University and the other within the aegis of the Government's training ministry, training needs are more effectively met and sources of friction are reduced. Whilst it was accepted without argument at Ditchley that a Government Institute could not fulfil the role of producing professionally oriented graduates, I think that it must now be conceded that there are administrative training functions which cannot be met by the 'omnibus' type of Institute such as we have established within Ahmadu Bello University whatever safeguards might be written into its constitution to ensure autonomy from an academic University Senate. Theoretically, the arguments presented at Ditchley may still hold but, in practice, a University is basically more concerned with the attainment of long term academic and professional objectives and normally has more time to establish contact with the student whereas the Government Institute is more concerned with immediate delivery and has to be content with shorter periods of contact.

A Government Institute can be quick on its feet in reaching to a change of master or a sudden policy switch. A University is more at home in dealing with predictable situations. In other words whilst both institutions can react to change, the reaction is likely to be different in nature and in timing.

The pattern at Zaria over the past few years has been consistently one of upgrading standards and lengthening the time taken to turn out a student – with pressures to drop the nuts and bolts, the teaching of routine techniques, instruction in the vernacular languages and much of the valuable extension training in the provinces upon which the reputation of the Institute was largely built in earlier days. More significantly contacts with the Government by most of staff are now more tenuous and impersonal whilst contacts with the world at large, the international organisations, the conference circuit, academic and professional journals etc. have broadened and flowered to the enrichment of our offerings. In fact, whether we were to admit it or not, our impact on government is now more remote and less immediate. Our programming is longer range in its objectives because we have to project ourselves two or three years ahead in deciding what we are to do with our students during their time here. We are to this extent less able to repond to day by day requirements than we were when we first joined the University. There are many reasons for this turn of events some of which may be worth mentioning. The former Institute was almost entirely staffed by mid-career civil servants with considerable field experience and well developed contacts in Kaduna and the provinces. Training in the vernacular was possible if it was needed because the staff could communicate in a variety of languages. If a problem was to be researched or if there was a consultancy job to be done, there was no requirement to build bridges of confidence between the staff and the government. There was no necessity to spell out immediate needs if a new programme was to be mounted quickly because if the needs were apparent to the civil service, they were also apparent at the Institute since the staff were themselves part and parcel of the service and experienced a common 'feel' for events and possible remedies. More and more, nowadays the Staff Development Centre in Kaduna takes over the role of the forward platoon in initiating government training programmes making it the more important that the heavy battalions at the Institute and elsewhere should establish good communication and co-operation with the Staff Development Centre if we are to pick up the signals which indicate the necessity to change our programmes or modify our thinking. As our academic and professional ambitions have grown, so far has our dependence upon expatriate short-term staff drawn largely from British and American Universities. During the period in which Nigerian replacements are being trained, possibilities of obtaining as close an understanding as we formerly enjoyed are reduced because of the difficulties experienced by a member of staff on a two year secondment in orientation and achieving production. This problem is not necessarily removed with localisation of staff since the essence of the earlier relationship was the confidence engendered by common experience of field service. Nor can it be said that most of the new staff, expatriate or Nigerian have taken well to the concept of teaching in classes extraneous to the undergraduate programme and it is in such courses that the opportunities for establishing rapport are most bountiful. It is for this reason important to maintain a pool of experienced officers in the provinces who have the academic and professional education which will equip them for service at the Institute of Administration and at the same time the field experience which helps to identify needs. A proportion of the staff should always be drawn from such a cadre. A collation of apostles of

action who have never been called upon to act or of professionals who have never professed must be discouraged as factors likely to widen gaps between an institute and a civil service.

A government controlled institution will normally be pulled back to a proper course of action by a reshuffle of staff occasioned by cross postings within the civil service and the issue of instructions by the government stating its revised training requirements. Universities however, tend to work in different fashion. Staff achieve tenure and cannot be displaced easily; the value of earlier field experience can atrophy without periodic refreshment and academics are ever liable to raise questions of academic freedom, the boundaries of which can be extremely difficult to define. Fortunately we are not over-afflicted with this problem as long as we are enjoying the services of short term expatriates and sending Nigerian staff for periods of advanced training overseas. But we do suffer from the irrelevance of most of the background of staff trained overseas whether Nigerian or expatriate and the difficulty of redressing the balance by active Nigerian experience. In the future, any university institute will have a serious problem to face on this issue. Governments can help by agreement on financial arrangements for secondments and interchanges of staff and fusion of service conditions to permit a common career structure but University staff have also to be persuaded that it is in their interests to abandon the relative security of the cloister for a period in the rough and tumble of field administration.

A further factor to which insufficient attention was paid at Ditchley was the extent to which the choice is governed by the physical siting of the proposed institution in relationship to the administrative capital of the country. A location in a capital city will clearly enable an Institute whether it is within a University complex or independent or a government department to render more comprehensive and economic services to a government secretariat than can an institution some fifty miles away. Not only do day release and evening class work become more feasible but there are the advantages of the imponderables such as a continuity of social contact, immediate availability and access to libraries, archives and other research material which make easier the whole job of building up the research and consultancy functions of an Institute. We have good reason to believe in Zaria that we have suffered in these respects by our remoteness from Kaduna. With the establishment of the Staff Training Centre in Kaduna, we might have suffered extinction by isolation had we not joined forces with the University since the University would surely have established courses in administration in a social science programme and would thereby have offset many of the advantages which we might still have enjoyed as a training institution over the new school in Kaduna. The physical separation of the two institutions and the clarity of their respective attachments to the University and the Government does however enable an attempt to be made to define and refine the relative functions of a University and a government training institution to an extent which is more difficult where the two exist side by side and the one usually becomes overshadowed by the other in power and influence – a situation apparent in some of the capitals of Africa and not unknown in Europe and Asia.

Where then does an Institute of Administration within a University stand and what would appear to be its proper functions? Has such an institution

a place in the sun independent of a University social science faculty and a government-directed institute? There are many shades of opinion on this issue not all of which were reflected in the discussions at Ditchley. Kenya opts firmly for an Institute with no autonomy whatsoever secure under the direction of the government because 'government alone can judge the needs and requirements of its own training programme'. Further 'to surrender control would only lead to a less effective machine for the breeding up of a local civil service'. A committee reviewing the activities of the Kenya Institute went so far as to say: 'the Institute's prime duty is to train a public service in direct response to the requirements of the Government of Kenya. Any other activity, such as research or publications must be related to the training effort'. The Kenya Institute thus has no claim to autonomy or independent research activities or a consultancy function. Government is acknowledged as omniscient in the identification of its training needs and in defining the type of administrator which is to be produced. The capacity of such an institution to meet the long term needs of economic and social development must depend dangerously upon the outlook of those in government who are 'calling the shots'. On the other hand, there appears to be a fair degree of unanimity over the proposition that the identification of government's training needs cannot be safely left in the hands of a University Still less can any government afford to surrender its prerogatives in this direction to overseas aid organizations and technical assistance staff who may have axes to grind or who lack the local experience necessary to escape from their own environment in formualting their advice. Yet it is apparent from scrutiny of the offerings of the Kenya Institute that an Institution organized and directed by government is seriously deficient in meeting anything but short term needs which are of course urgent and of critical importance during the period when localization of staff is in progress. The longer view clearly implies a training programme which is balanced between staff development work of an inter-service character and higher level interdisciplinary courses requiring academic and professional staff, library resources and residential facilities and relative freedom from the mundane of civil service routine. Added to these requirements there is a need for status purposes or otherwise of the cachet of a degree or diploma and the need for a university programme as an element in a national staff development plan.

The case of course does not rest there. I believe that extensive discussions took place at Accra in January of this year revealing the value to governments of access to the consultancy and research resources available within a modern university. Valid distinctions were drawn in a number of the published papers between the kind of service which a government might reasonably expect from a university type institute and which would not be available from the normal civil service institution or from the regular civil service cadre or from the 'flying doctors' available under various technical assistance programmes. Whilst there undoubtedly remains much to be done to establish confidence between governments and university institutes in this matter, there is no denying the potential asset upon which a government can draw if the conditions necessary for high level research and consultancy can be established in a university with due regard to the requirements of academic freedom and a government's need to set a boundary to an enquiry which frequently involves security questions and the exclusion of the right to

publish data and claim author credit. But it is now generally understood that a university institute is ill-equipped in many ways to claim for itself a capacity to meet all or even the major part of a government's needs in research and consultancy in the administrative field. Nevertheless, the staff of such an institute should be capable of bringing to bear a greater independence of thought and objectivity towards the resolution of the more complex problems of development administration than one would expect to find available in a fully government controlled institution designed to meet day to day training needs.

Where a government can afford to maintain a staff training centre and a university institute, the two institutions must not be permitted to compete for the same business. Care must be taken to allot tasks as they can best be fulfilled. Frontiers will necessarily be blurred but problems of status and the varying levels of instruction must not be allowed to shut out the possibility of pooling resources to meet needs at a particular time or place or in a particular field of activity. The staff of a university institute only too often looks down upon the 'nuts and bolts' approach of the civil service institution which in turn responds by dismissing the efforts of university staff as being up in the clouds. Both types of activity are necessary to produce a balanced training programme in a developing country and whilst a high degree of integration is possible within the organization of a single institution, it is submitted that experience now reveals that nowhere has either type of institution operating in isolation been successful in an attempt to carry the entire training burden properly.

Local Government in Tanzania Part II*

by STANLEY DRYDEN

Mr. Dryden is on the staff of the Institute of Public Administration at the University College, Dar es Salaam, Tanzania.[1]

VILLAGE COMMITTEES

THE decision to abolish representative committees at divisional level was, in certain respects, a momentous one. It was not only a complete break with tradition; it was also an indication of central government's determination to make organizational adjustments for the sake of efficiency even if it meant sacrificing a degree of democratic consultation in the process. It is true that the infant divisional committees, like the chiefdom councils of old, had largely advisory functions. Any committee resolutions or proposals which touched upon general matters of policy or which involved executive action not already sanctioned by the district council were invariably subject to approval by the council. But in the vast rural areas over which many district councils have jurisdiction these subordinate committees provided a convenient forum for the discussion of both local and central government matters of all kinds. They were vehicles for the transmission of policy and programmes from central institutions to the rural population at large. Being relatively few in number their meetings could be easily attended by senior officers of both central and local government. In addition, they provided local people with an additional means of making their views known to the district council. The triumph of the elective principle in local government did, of course, mean that constituents already had a voice in district council affairs through their elected representatives. But the latter, apart from being inexperienced and uncertain of their role, were left with no organised means of maintaining effective and continuous contact with their constituents. The divisional committee was a method of ensuring that councillors, as well as officials, could establish regular communication with large sections of the electorate in an area convenient for purposes of administration and consultation.

The priorities accorded to local development led to the abolition of the divisional committees. Yet divisional committees were intended to form a part of the general consultative process to meet the special needs of local government in Tanganyika. The vast distances over which many district councils exercise jurisdiction make it difficult, if not impossible, to establish a strong rapport between the central council and local constituents. The idea of loyalty to and pride in a rural local council because it forms a vital part of community life has not yet taken root for a number of reasons, not the least of which is the remoteness of the decision-making process from the

* Part I of this article which was published in the *Journal of Administration Overseas* of April, 1967, ended with the decision in September 1963 to abolish the rural divisional committees.

[1] The article is concerned solely with local government in the mainland of the United Republic of Tanzania, i.e. in that part known as Tanganyika.

people in the villages. The divisional committee system went some way towards providing, if not a focus of loyalty, at least a positive and well understood link between sizeable local social groupings and the largely anonymous body of councillors who make up a district council. No similar problem exists in the pocket-handkerchief areas administered by town councils, where the advantages of concentration are reflected in the quality of decisions made and of services provided.

A wider interest and participation in district council affairs has been made possible through the emphasis now placed upon the role of village development committees. However, there are obvious difficulties in attempting to incorporate these units into the local government committee framework. In the first place, they are involved in a special kind of activity. They are, first and foremost, centres of initiative reponsible for the planning of village development projects and for the mobilization of local manpower to implement these projects. As such, they are to a large extent sufficient unto themselves, being unable by virtue of their very size and numbers to command or to attract any significant material resources which could make possible a permanent administrative unit. As consultative organs, they have the great merit of stimulating local interest in development (and, potentially, in other matters affecting local government) and of acting as a link between villagers and the central decision-making process.

Their contribution to local government generally must, however, be seen in its true perspective. Village development committees, in their relations with the district council, are similar in many ways to sectional interests whose object it is to extract whatever benefits can be obtained for strictly parochial purposes. Situated as they are at the very extremities of the local government system, their horizons extend little further than the immediate needs of their own locality.

The constitutional link between the village development committee and the district council is a tenuous one for two other reasons. In the first place, the area served by a village committee does not usually coincide with an electoral ward of the council. One such ward may contain within its boundaries a number of committees. An elected councillor will therefore often represent the interests of not one, but several village committees in the district council. Secondly, the membership of the committees themselves is not truly representative of the local communities which they serve. Though provision exists for the informal election of local representatives, the committees are often controlled by local party officials. In some places the chairman of the local Tanganyika African National Union branch automatically becomes chairman of the village development committee; likewise, members of the branch committee may serve on the development committee.[2] In localities where branches of T.A.N.U. do not formally exist, paid-up members of the Party may take upon themselves the role of leadership which T.A.N.U. officials assume elsewhere. There is evidence to suggest that some

[2] Exceptions to the general pattern undoubtedly exist. For example, N. N. Miller informs us that in a coastal village south of Dar es Salaam the village development committee consists of 20 elected members, who in turn elect a chairman and secretary, though "historically the VDC suceeded the TANU Council in the village as local governing unit" (*Village Leadership, a Preliminary Evaluation*, University College, Dar es Salaam, mimeo).

of the committees, whose size may vary according to locality, are dominated by party nominees to such an extent that they resemble sub-branches of T.A.N.U. rather than truly representative organs of the local authority.[3] Moreover, representation on these committees is widened, as at district level, to include central and local government employees and co-operative society officials who may be resident in the areas served by the committees.

There can be little doubt that the ability of local councils to promote development in village areas depends to a very great extent upon the degree of co-operation they are able to obtain from local officials of the ruling Party. If effective co-operation and positive action are procurable only at the price of weakening the representative element in development committees, this does not necessarily mean the end of representative local government. The position is, simply, that committees exist in the villages for development purposes. They act in accordance with the aims and policies of Government and the Party. As local interest groups they are associated with rather than integrated into the system of local government, since this is the source from which authoritative policy derives and from which technical and material assistance may be forthcoming.[4]

Relations with T.A.N.U. in the Rural Areas

The monopoly of political power enjoyed by T.A.N.U. and the existence of decentralised institutions exercising governmental powers in their own right was a situation containing the seeds of conflict. The newly independent government sought to avoid conflict and promote unity by associating T.A.N.U. with governmental institutions at the lower as well as at the higher levels. Sometimes, T.A.N.U. appointees were put in effective legal control of government departments, as when, for example, regional and area commissioners became political heads within the Regional Administration. In the sphere of local government, elected councils are packed with members many of whom owe their success at the polls to support from T.A.N.U. Office-bearers of T.A.N.U. at the district level, if not already council members, are co-opted to membership of council committees. Village development committees, though given the status of committees of the district council, are in many places controlled and directed by T.A.N.U. officials or nominees.

As already noted, there exists among rural local authorities a divisional level of administration made necessary by the large geographical areas over

[3] In December, 1962, the area commissioner of Rungwe District in his capacity as area secretary of the district branch of T.A.N.U. wrote to all T.A.N.U. branch secretaries and to all divisional executive officers in the district as follows: "In localities where there are no T.A.N.U. committee members resident, paid-up members of T.A.N.U. will be preferred to form the Village Development Committee and as a result a small branch of T.A.N.U. will exist in that area". However, since the Presidential Commission on the One-Party State recommended in its Report (see footnote 10) that sub-branches of T.A.N.U. should coincide with district council electoral wards, steps have been taken to reform the party organisation on these lines, so that sub-branches will no longer exist at village level.

[4] A recent White Paper (*Government Paper* No. 1 of 1966) states: "It is proposed to recognise legally the place of Village Development Committees. These committees have hitherto functioned informally. They have on the whole functioned satisfactorily It is intended now to make even greater use of them . . . These committees will be composed of all (Party) Cell Leaders in a ward." Although most of the proposals contained in the White Paper were accepted by Parliament and have now become law, no mention is made of the village committees in the new legislation.

which rural councils have jurisdiction. The divisional executive officer carries out his duties without the aid of a committee. He has a measure of independence of action similar in some ways to that enjoyed by civil servants operating in the field. His responsibilities are shared by assistant divisional executive officers and village executive officers who, in addition to their other duties, act as executive officers for the village development committees. Divisional executive officers are appointed by councils subject to the approval of the regional commissioner: an essential qualification is the ability to co-operate with the leaders of local branches of T.A.N.U. which exist within the administrative divisions of local authorities.[5]

Co-operation is not always readily obtainable. This is particularly so where local politicians are loath to acknowledge administrative authority vested in the divisional executive officers or where the latter seeks to carry out duties of a kind which require the compliance of local party officials.

It seems that one cause of this misunderstanding of roles may be inadequate communication between senior T.A.N.U. officials at headquarters and minor party officials in the rural areas of Tanganyika.[6] Another reason for the friction which exists in some districts at the divisional level of administration is, perhaps, the absence of a representative committee at that level. It has been noted that rural divisional committees were abolished in 1963 on the grounds that they led to misunderstandings and delays in the submission of development plans originating from village committees. Yet this reason alone hardly seems sufficient to justify the drastic step which was taken to be rid of them. In addition to the reasons already advanced in favour of these committees, they would satisfy the need which exists at the present time to establish a formal link between local residents and key personnel of the local authority to whom important administrative responsibilities have been delegated. They would reinforce the authority of local government in relation to that of other organizations operating in the division. And, finally, they could – because of their size and population – be the forerunner of smaller local authorities of the future. The executive capacity of rural local authorities, as constituted at present, will continue to be subject, for some time to come, to limitations imposed not only by lack of finance and skilled manpower but also by difficulties of communication which exist in the large areas over which most of them exercise jurisdiction. It seems inevitable that with the spread of education and with the gradual increase in local resources which results from economic development, a demand will arise in the future for smaller and more manageable units of local government. Given the necessary resources these units should be able more effectively to meet the needs of rural populations for improved social amenities.

At the present stage of development there seems no particular value in linking village development committees closely to rural divisional committees. The elaborate arrangements which are set out in the Local Government Ordinance for a constitutional link-up between these two kinds of

---

[5] A scheme for integrating divisional executive officers and their assistants into the Local Government Service and thereby according to them greater security of employment was formulated by the Local Government Service Commission in July, 1965. It has not yet been implemented.

[6] It is understood that relationships generally between party and local government officials have shown some recent improvement.

committee have proved to be unworkable under present conditions. They were rightly dispensed with. But this need not have resulted in the eclipse of rural divisional committees. The roles of the village committee and of the rural divisional committee are, in practice, different from each other in important respects. One is essentially an action group, only partly representative of the local people, drawing its strength, authority and dynamism from officials and members of the Party resident in the villages, and – because of its size, constitution and remoteness – lacking a strong link with the district council. The other is (or should be) a district council in miniature, more broadly representative of the people, concerned with a wide range of problems affecting the lives of those who are resident in the division, and closely linked with the district council through the locally elected members of the council who would serve on the committee. Village development committees have been given a very important role in promoting development, more especially through conditioning the rural population of Tanganyika to accept innovation of all kinds. They cannot, however, be an adequate substitute for representative committees or councils at the divisional level.

Control by the Central Government

The dependence of rural councils upon support from central government and the ruling Party is a prominent feature of local government at its present stage of development. Assistance in the form of financial aid, expert guidance and political pressure to get things done is at once an indispensable source of strength and an indication of underlying weakness in the system. Moreover, assistance goes hand in hand with legal controls of the most far-reaching kind. The Local Government Ordinance confers upon the minister or his representatives in the field (the regional commissioners) power to issue directions to councils on most aspects of local government business. Budgets, by-laws and standing orders are all subject to approval. Loans, contracts (over a certain amount) and investments are controlled from above. Compliance with financial memoranda and instructions issued by the minister is obligatory. These are often supplemented by directives from his local agents, the regional commissioners, on matters ranging from office hours to divisional administrative boundaries, from the maintenance of staff attendance registers to the appointment of divisional executive officers. There is virtually no aspect of rural local government which is not legally under the purview of central government.

Neither the minister nor a regional commissioner, however, is in a position to exercise day-to-day control over the activities of local councils. This work is delegated to administrative officers of the Regional Administration stationed near the headquarters of district councils. The system of on-the-spot control and supervision by administrative officers is theoretically similar to that which existed in colonial days. In practice, there are important differences. In the first place, the officers responsible for exercising supervision are, in many cases, themselves relatively inexperienced in local government affairs. Most of them were recruited during the post-independence period to replace departing expatriates. A special cadre of local government officers was formed in 1962 to take over responsibility for the day-to-day supervision of district council work. This move was in accordance with recommendations

made by a committee, under the chairmanship of Sir Philip Rogers,[7] appointed in November, 1961, to examine civil service staffing requirements.

The recommendations of the Rogers Committee were not followed to the letter. There were important divergences. First, the new body of officers (many of whom were initially seconded from the Regional Administration) were not to be simply 'inspectors'. Though much of their work was to do with the inspection of accounts and other aspects of administration, emphasis was placed upon their role as advisors to the council, to its committees and to its staff. It was not intended that they, as advisers or inspectors, should involve themselves in the performance of executive work on behalf of the council. On the other hand, councils were expected to act upon any advice given to them:

> 'It should be understood that the local government officer is central government's agent and is not merely an adviser whose advice may be accepted or rejected at will . . . Local government officers would be failing in their duty if they did not submit critical reports when things go wrong.'[8]

The responsibility of this new type of officer in relation to local governmental affairs was essentially the same as that of the colonial administrative officer who had exercised it as but one of his many other duties. But there was an important difference in the manner of implementation. Whereas, formerly, the officer responsible would actively assist in rectifying errors and repairing omissions, under the new system the local government officer[9] was expected to be more detached from, and less personally involved in the executive work of the local authority. More reliance was placed upon the submission of 'critical reports' to the regional commissioner than upon improving the situation by personal intervention, where necessary. The colonial system had been paternalistic. It gave short-range positive assistance to the staff and councillors of local councils through direct executive action. The advice given to councils by local government officers might or might not be acted upon. If it was disregarded, the more usual remedy was to report the matter to the regional commissioner and to hope for salvation that way.

Local government officers laboured under a more serious disadvantage, however, than that imposed by their official role. They were lacking in the kind of personal authority which is the combined product of long experience in the government service, the seniority which such service confers, and the advantage of an education and training superior to that of the council staff whose work they were required to supervise.

The idea of an inspectorate operating as a mobile team was suggested by the Rogers Committee. It did not materialize in this form, however. Instead, an attempt was made to attach a local government officer to as many district councils as possible. Expensive in manpower, the system adopted nevertheless had the advantage of ensuring continuous supervision and guidance. It seems probable, however, that many of these officers did not have enough work to keep themselves fully occupied, particularly in those districts where the senior council staff were of average competence or better. This separate

---

[7] Report of a Committee appointed to review Civil Service Staff Complements, dated April, 1962, and issued as an appendix to Staff Circular No. 2 of 1963.

[8] Ministry of Local Government Letter No. LG.58/069 dated 10/7/62.

[9] The term adopted ('local government officer') is a confusing one. In this context it denotes an employee of central, not of local government.

cadre of local government officers was abolished in mid-1965 after three years of operation. Its personnel were absorbed into the administrative grade of the Regional Administration, which resumed its traditional function as part-time supervisor of local government affairs in the rural areas.

Proposals for Constitutional Change

The picture which emerges of rural local government in Tanganyika is that of an infant institution deficient in resources and highly dependent upon central government for expert guidance and material assistance. In a political situation where the needs of development are paramount and the supremacy of the Party is everywhere apparent, the principle of democratic local self-government becomes a secondary consideration. If progress depends upon the most efficient blend of energies and institutions available, does it matter, at this stage of development, if the democratic ideal is not immediately attainable? Local government must, like most other organizations, put down its roots and gather its strength before it can assert its right to a place of influence and authority in the framework of national institutions. In the meantime, it will seek nurture where it can and bow its head to the play of forces more powerful than itself.

The effectiveness of local authorities as instruments for providing and improving social amenities is likely to depend mainly upon an increase in wealth through the development of local resources. However, new initiatives have recently been taken by government in an attempt to improve the efficiency of local government as an institution. In January, 1964, a presidential commission was appointed to consider the changes in the constitution of the Republic, in the constitution of T.A.N.U. and in the practice of government that might be necessary to bring into effect a democratic one-party state in Tanganyika. After consultation with all shades of opinion the commission reported [10] that considerable confusion existed in the districts, townships and municipalities of the country between the role of T.A.N.U. and that of local authorities. It concluded that there was a strong case for incorporating the executive committee of T.A.N.U. in each locality within the structure of the local government authority.

The commission then went on to make certain concrete recommendations as to the composition of local councils, the qualifications of councillors and the method by which councillors should be elected. First, all members of the district executive committee of T.A.N.U. should, in the opinion of the commission, be ex-officio members of district councils, i.e. the elective body of rural local authorities, in addition to councillors elected from the constituency wards in the normal way. In those urban areas where no separate T.A.N.U. organization exists, the local organization of T.A.N.U. should be modified so that for each local government area there is a corresponding T.A.N.U. organization from which the ex-officio members of the local authority can be drawn. Secondly, all candidates for election to local councils should be members of T.A.N.U. Finally, pre-selection of candidates should take place through the party organization to ensure both the suitability of candidates for election and the presentation to the electorate of a choice of

[10] *Report of the Presidential Commission on the Establishment of a Democratic One-Party State*, 1965. Dar es Salaam (Government Printer).

candidates. This arrangement, it is argued, would enable constituents to exercise their democratic right of casting a vote and obviate the return of candidates unopposed. To facilitate this process, the commission recommended that there should be a sub-branch of T.A.N.U. in each of the wards into which local authorities are divided for electoral purposes.

The second and third suggestions are consistent with the views of the commission in regard to the election of candidates to the National Assembly. The commission's recommendations in relation to national elections were, with minor changes, incorporated into the legislation which provided for a one-party governmental system and were brought into effect for the Parliamentary elections of September, 1965.

The legal position of T.A.N.U. in relation to local authorities has now been formalized,[11] the views of government having been set out beforehand in a White Paper.[12] This document recognized the danger to representative local government contained in the commission's proposal to graft the T.A.N.U. district executive committee on to the local authority council in each district. The relevant passage reads:

> 'The government is of the view that members of the district executive committee of T.A.N.U. should not be ex-officio members of local councils. They should, like everybody else, be free to stand for election.'

The new legislation did, however, provide for the appointment by the President of up to 10 non-elected members to membership of a council, thereby giving effect to the White Paper's compromise proposal that some of appointees might be chosen from T.A.N.U.s district executive committee and others from the ranks of the civil service. This arrangement is clearly much more satisfactory than that proposed by the presidential commission, the effect of which would have been seriously to undermine the representative element in local authority membership.

Several other recommendations put forward by the commission have been adopted, including the one relating to the method of election of council members. In addition, the law now provides that a district chairman of T.A.N.U. shall be ex-officio chairman of the district or town council in his locality. While such a move appears, at first sight, to strike a blow at the elective principle in local government, it should prove, in practice, to be broadly in line with democratic principles. An ingenious arrangement is outlined in the White Paper whereby all elected councillors (who, under the new electoral arrangements, will have their candidature approved by the Party) shall be made delegates to the annual district conference of T.A.N.U., where they may participate in the election of the T.A.N.U. chairman.

Although the new legislation makes no reference to the status of village development committees, the White Paper announced that in future they would be composed of all party cell leaders in a ward. At the same time, it is intended that they shall be more closely integrated into the local government system. Thus the functioning of these committees will, it seems, come officially under the control of the party machine yet they will, in theory at least, form part of the local authority organization. To the extent that cell

---

[11] In the Local Government (Elections) Act, No. 47 of 1966 and in the Local Government Laws (Amendment and Consequential Provisions) Act, No. 48 of 1966.

[12] *Proposals of the Tanzania Government on Local Government Councils* (Government printer, Dar-es-Salaam, 1966).

leaders are chosen representatives of local residents the village committees will be democratic in their composition. However, in the absence of any formal method of election to these committees, there will be room for the use of pressures of various kinds to influence the choice of leaders at this level. It has already been argued that village development committees are, for various reasons, not ideally constituted for formal integration within the local government system at the present time. There is nothing in the Government's White Paper to alter this belief.

The effect of the new legislation, when it is introduced, will be to strengthen in a formal manner the connection which already exists between the Party and local authorities and to give T.A.N.U. officials a louder voice in the deliberations of councils, including those which have in the past shown themselves unwilling to be dominated by local party politicians.

Another development which is designed to bring the machinery of government into a still closer relationship with the party organization is the appointment of the secretary-general of T.A.N.U.[13] as Minister for Regional Administration in October, 1965. The Regional Administration is a department of government which has at various times since independence been part of the Ministry of Local Government or been placed directly under the control of the President or Vice-President and (in pre-republic days) of the Prime Minister. With the creation of a new Ministry of Regional Administration, its special status has been given more formal recognition than heretofore. The Ministry of Local Government has been abolished and its functions absorbed into the new Ministry of Regional Administration. The real significance of the new arrangement lies in the appointment of a high-ranking T.A.N.U. leader to be head of a ministry on which so much depends for the future progress of the country.

The main innovations in local government since independence may now be summarized. First, Native Authorities have given way to local authorities constituted on the lines of the English local government system. Secondly, the status, remuneration and general conditions of service of local government employees have been revised and improved with a view to raising standards of efficiency. Thirdly, the activities of both central government departments and of local councils have been placed under the surveillance and direction of the Party. This has been done through the appointment of political commissioners as heads of regional administration and by the election to local councils of party nominees. As a result of the new legislation[14] passed in October, 1966, local authorities will forge closer links with T.A.N.U. Finally, local institutions have been given a new major function to perform: the efforts of departments of government and of local authorities alike have been directed towards the overriding objective of government policy, i.e. to accelerate the process of rural development. A system of development committees has been introduced for the purpose.

Future Developments in Local Government

The principles of elected representation and autonomy of operation (consistent with government policy) are basic to the English system of local

[13] Mr. O. S. Kambona, M.P., formerly Minister for External Affairs.
[14] See Footnote 11.

government. Local autonomy in Tanganyika at the present time is compromised not only by the degree of technical and material assistance which central government renders but also by the strict control over council business of all kinds which needs to be exercised from above. There is no way out of this dilemma. Rural councils in general have simply not got the expertise at their disposal to enable them to manage their affairs successfully without considerable supervision from central government. This situation is not likely to yield quickly to treatment. It will improve only when general educational standards improve and when suitably qualified people have been found for positions of management in local government.

On the other hand if genuinely representative local government is the aim, then an attempt to impose management from outside, either in the sphere of policy decision making or in the executive field, may scarcely seem to provide a satisfactory solution. In 1963 legal provision was made for the appointment of political commissioners as chairmen of district councils in circumstances where mismanagement by elected councillors made this necessary.[15] This particular law was, in fact, never used. It has now been superseded by the new constitutional arrangements already mentioned which have put effective control of local government into the hands of the Party. This experiment with one-party government at the local as well as the national level may not have much appeal in some circles. But African conditions require African solutions and it would seem wise to suspend judgment until the system has been given a fair trial.

The long-term aim should be to improve the quality of local authority services not only by encouraging local initiative but also by eliminating the weaknesses in the local government system as applied to Tanganyike conditions. Two of these have already been mentioned. The decision in 1963 to abolish divisional committees may prove to have been an error of judgment for reasons already explained. The revival of these committees would preserve a well-understood tradition and provide a base for future development even if meetings were to be held only at quarterly intervals. It would be important to restrict membership mainly (though not exclusively) to elected representatives of the people. The system of development committees is essentially a sound one, though there is no particular virtue in trying to integrate it with the machinery of local government. Rather the contrary. The fact that these committees are not truly representative in the electoral sense (though for excellent reasons) conflicts with a basic principle of local government organization. It should be positively and publicly affirmed that rural development is a joint enterprise between central and local government, the Party, the co-operative societies, the Union of Women of Tanzania, the National Union of Tanganyika Workers and private business interests and that the formal machinery set up to control and administer the service is associated with local government at district level for purposes of administrative convenience, without being an integral part of the system. Recognition of this fact would underline the true role and importance of divisional committees: these (if they were to be revived) could be made fully representative and their range of interests would properly embrace the whole field of local government.

---

[15] The Local Government Ordinance (Amendment) Act. No. 58 of 1963.

In regard to services offered to the people, it is possible that rural local authorities are, at the present time, spreading their efforts over too wide a range. Concentration of resources at points where they are most required could follow from a rationalization of the division of functions between central and local government. A tendency has already been noted for district councils to show exceptional interest in education and health services and to neglect investment in long-term revenue-producing programmes in the field of agriculture and natural resources generally. A glance at the annual expenditure figures of any district council will confirm that a relatively insignificant proportion of the council's budget is devoted to the development of natural resources. There are, in fact, other important agencies in most districts of Tanganyika which are more intimately concerned with economic development. The agricultural, veterinary and co-operative departments of central government are the traditional organizations working in this direction. The co-operative societies have, in recent years, extended their range of activities beyond the marketing of produce to include also the provision of implements, fertilizers, and advice to farmers on agricultural techniques. In addition, they are government's agents for the administration of loans for agricultural purposes. In all this economic activity local authorities have, by predilection, a relatively minor role to play in terms of material contribution.

In a chapter dealing with the division of services between central and local government, the Kent Report[16] recommended that, in regard to agricultural, forestry and veterinary services, 'a vigorous positive policy' should be pursued . . .

> '. . . of co-operation between the government and the district councils in an endeavour to improve the quality and quantity of the country's produce, so that living standards can be improved and the revenues of both central and local government increased.'

The report then went on to list specifically eight services in which councils could play an active role, including, for example, the sale of seeds and seedlings. The stage of development which rural council services have reached so far is, in general, an early one and most councils have a hard enough task merely to operate with tolerable efficiency the administrative and social services on which they place most emphasis. The result is that only a relatively small contribution is forthcoming to develop the economic potential of the areas over which they have jurisdiction. Recognition of the limited abilities of councils in this direction is evident in a recent announcement that, in future, central government will meet the total cost of approved water development projects in the rural areas.[17] In view of the limited resources available to local authorities at the present time, and the presence of other agencies which specialize in the work of exploiting natural resources, it would seem a logical step to remove entirely from their sphere of activity responsibility for implementing economic development plans and projects. Arrangements for the sale and distribution of seed and seedlings, the provision of agricultural equipment on hire, the establishment of natural resources centres and functions of a familiar nature could be performed more

[16] *Report on the Services to be Administered by Local Authorities in Tanganyika* by A. W. Kent (Government Printer, Dar es Salaam, 1962).

[17] Ministry of Lands, Settlement and Water Development letter No. A.30/1 of 6.5.65 addressed to all regional water engineers. The proportion of cost previously met by central government was 75 per cent.

conveniently and effectively by departments of central government or by co-operative societies. Moreover, a transfer of functions on these lines would avoid an unnecessary duplication of organizations to perform tasks which could adequately be carried out by one of them alone.

Rationalization of this kind would not significantly increase the resources available to local councils to improve its major services. It would, however, lead to some amelioration and, perhaps more important, to a streamlining of its organization in the direction of simplicity through concentration upon a smaller range of activities. It would not exclude local government participation in the work of economic development, particularly in the field of planning, since the membership of development committees at both village and district level provides specifically for this. It is noteworthy that in making its recommendations on a suitable division of services between local and central government, the Kent Report was careful to sound a note of caution:

> 'In making these proposals, it must be remembered that the speed with which they are accepted by local authorities must depend on the administrative ability of the local staff. It is to no one's advantage to transfer a service to local authorities which is being well administered by central government when such local authorities are unable to administer efficiently the services already under their charge. It is envisaged that some of the suggestions will not be implemented for many years, but it is of great value both to government and the local authorities to have a blue-print for the future . . .'

The process of rationalization in the interests of efficiency and economy could, with advantage, be carried a stage further. One of the great weaknesses of local government organization at the present time is the lack of adequate technical expertise and equipment to undertake major development projects. The construction of dams, pipelines and boreholes is done by central government's department of water development, operating on a regional basis. Engineers and costly equipment are kept continually on the move from one district to another as they work through a list of projects for completion. Similarly, the construction and maintenance of major trunk roads within regions is the responsibility of the Public Works division of the Ministry of Communications and Works, which maintains both staff and equipment in each district on a permanent basis. Yet all major district roads (other than trunk roads) are the responsibility of local councils, who receive a grant for their upkeep. Since most councils lack the physical means to attempt anything beyond temporary surface repairs to these roads, there is a perennial outcry from road users for improvements to be made. Substantial improvements to roads are only possible through the use of capital equipment properly handled. The Public Works division of central government is potentially far better equipped than local authorities to undertake work of this kind. If it is in need of more equipment and more skilled road supervisors to undertake additional commitments, at least it has the basis of organization and technical potential from which to extend its activities. It seems logical that, under existing conditions, road building equipment and expertise should be located in one central organization which should be made responsible for all roads of major importance to development, however differently they may be classified.

Similar problems exist, in varying degrees, in regard to the construction

of buildings such as schools. In some of the less prosperous districts of Tanganyika, it is a major problem to engage either qualified staff or contractors to undertake work of this kind. The initiative would seem to lie with central government, either through its existing development committees or through regional bodies established for the purpose, to locate, organize and develop a regional pool of technical equipment and expertise, both public and private, to be made available, as required, for the execution of major development projects in any part of a region. A move in this direction would be less difficult now than it would have been a few years ago when regional administrative areas were, in general double their present size.

To organize a regional pooling of technical resources would entail a rationing or allocation of those resources on the basis of agreed priorities. At this point, there would be a case for consultation with local authorities whose interests would be vitally affected. It would be desirable, therefore, to make formal provision for participation by council representatives (who need not be numerous) in the deliberations of a co-ordinating board or committee set up to administer a scheme of this kind.

There would, moreover, be a strong case for putting at the disposal of such a board development funds held by the Local Government Loans Board,[18] which are at present lying idle through physical inability on the part of councils to put them to good use. In November, 1965, out of a total of £1,780,000 deposited with the Board in the local authorities' compulsory reserve fund, less than half (£850,000) had been returned to councils in the form of loans for capital development. Similarly, income accruing to the Board from its share of cesses levied by councils on tea, sisal, pyrethrum and sugar amounted to £155,000, of which only 13 per cent. (£21,000) had been issued to poorer councils as loans or grants.[19]

One of the weaknesses of the existing regional development committees is that they do not have at their disposal substantial development funds with which to initiate major development projects. Another difficulty is that they lack the legal powers necessary to enforce decisions taken. Their value, as they are at present constituted, lies essentially in stimulating a climate of thinking in terms of development and of providing a channel of communication on development matters between central government and important interests in the regions. They would undoubtedly gain in stature and authority if they were to be made responsible for important additional functions of the kind suggested. There are two reasons, however, why they may not be ideal for the purpose. First, their present extended membership is not particularly suitable for the close examination of matters of a technical nature, though this objection might be largely overcome by the use of sub-committees. Secondly, and perhaps more important, a regional body empowered to make decisions on the allocation of technical resources between

---

[18] Formerly the Local Councils Board, established under the Local Government Ordinance. Each district council is required to maintain with the Board a reserve fund equal to 25 per cent of its annual estimated recurrent revenue, as well as to contribute 30 per cent of the proceeds from any produce cess levied on such 'national' crops as tea, sisal, pyrethrum and sugar. The money is invested by the Board and, where appropriate, is made available to councils in the form of loans or grants for capital projects.

[19] Figures supplied by the Ministry of Regional Administration.

district councils would more appropriately be one with a preponderance of members representing the councils, particularly as the latter would be the source of finance. A regional development board composed of representatives of district councils, assisted by technical officers of government, might be more appropriate in the circumstances. Decisions would then lie with the people most intimately concerned with the supply and use of resources.

More effective participation by local councils in decision-making at regional level is probably long overdue. As the law now stands, a regional commissioner in his capacity as 'proper officer' responsible for the supervision of district council affairs in his region has power vested in him to approve, modify or reject budgets (including development programmes) submitted to him annually by district councils. He can bring his authority to bear on almost any kind of local government business. While district councils may make representations to him, there is at present little or no opportunity for direct consultation with him. A regional development board constituted on the lines suggested would help to remedy this situation, since it would enable local councils to participate actively in major decisions affecting the well-being of the peoples whom they serve.

The Structure, Functions and Financial Resources of Local Government in Pakistan

by MALIK M. SIDDIQ

Mr. Siddiq is Cantonment Executive Officer, Dacca, Pakistan.

Introduction

THE genesis of local government in the Indo-Pakistan sub-continent is to be found in the days of British rule, when the district officer, variously known as the collector, deputy commissioner and district magistrate, to further his efforts towards local social advancement enlisted the support of local people of influence in carrying out his tasks.

From these early beginnings there were gradually evolved definite institutions of local government and a policy with the avowed aims of training the people of India in the art of self-government at the lowest level and of lightening the burden of governmental agencies by ensuring popular participation. On the whole these laudable aims were not realised. The people at the local level were not interested and the institutions of local government which were created increased rather than eased the burdens of district administration.

The development of local government did not proceed uniformly throughout the country. Village councils were established in what is now East Pakistan as early as the 1880s but it was not until well into the 20th century that similar bodies were established in the Punjab.

After independence in 1947, attempts were made to democratise the system of local government. In 1948 adult franchise was introduce for the first time in the election of local bodies and elected chairman replaced district officers on the district boards.

The laws establishing and governing local authorities varied from area to area until the Basic Democracies Order of 1959 and the Municipal Administration Ordinance of 1960 were enacted to consolidate and amend laws relating to local government throughout Pakistan.

The Structure of Local Authorities

The Federal Republic of Pakistan consists of the provinces of East and West Pakistan each under the administrative head of a governor appointed by the President.

East Pakistan is divided into four divisions containing a total of seventeen districts while West Pakistan has twelve divisions and fifty three districts. A division is under the administrative charge of a commissioner while a district is under a deputy commissioner.

In East Pakistan the districts are further divided into sub-divisions under sub-divisional officers. The sub-divisions in East Pakistan and the districts in West Pakistan are further divided into areas known as *thana* and *tehsil*

respectively. Finally the *thana* and *tehsil* are sub-divided into units embracing groups of villages with populations in each unit of between eight and ten thousand.

Rural Areas

In rural areas four tiers of local government are established corresponding to the four main administrative units. Divisional councils are established in each division, district councils in each district, *thana* councils and *tehsil* councils in each *thana* and *tehsil* and union councils in respect of each group of villages.

In addition bodies known as town committees are established for a number of quasi-urban areas.

Union councils and town committees are composed entirely of members elected by the community on an adult franchise. They elect their own chairmen. Paid secretaries, who are transferable from one council to another, are appointed by the provincial government. The chairmen are paid small honoraria out of council funds.

The *thana* and *tehsil* councils consist of the chairmen of the union councils and town committees within the *thana* or *tehsil* known as the representative members and these constitute the majority of members. In addition there are a number of official members representative of government departments within the area. The senior administrative officer in the area is an *ex-officio* member and chairman of the council.

The district councils also consist of elected and official members but, in this case, with the proviso that the total of the latter shall not exceed the former. The elected members of the council are selected by an electoral college consisting of all the chairmen of the union councils and town committees in the district. The deputy commissioner is *ex-officio* a member and chairman of the council. Each council has an elected vice-chairman. In East Pakistan the assistant directors basic democracies, and in West Pakistan the chief officers of the district councils, act as secretaries to the councils.

With the divisional council also, it is laid down that the total of *ex-officio* members shall not exceed the number of elected members. The elected members represent the district councils, the municipal committees and cantonment boards in the division. The number of elected members is apportioned to represent rural and urban bodies on a population basis. The official members consist of divisional heads of government departments and the chairmen of the district councils within the division. The commissioner is *ex-officio* a member and chairman of the divisional council. In West Pakistan the director, basic democracies, and in East Pakistan the deputy director, acts as secretary of a divisional council.

Urban Areas

Urban areas are divided on the basis of population into units in respect of which union committees are established. These committees correspond to the union councils in rural areas; each one embracing a population of some ten thousand. The chairmen of union committees are elected and secretaries appointed by the provincial government are paid by way of grant-in-aid from the municipal committee or cantonment board within which the union committees are situated.

Under the Municipal Administration Ordinance, 1960, a provincial government may declare any urban area, other than a contonment, to be a municipality. For each municipality a body corporate known as the Municipal Committee is established with the exception of Karachi and Lahore in West Pakistan where these bodies are termed Municipal Corporations. The chairmen of the union committees in the area are *ex-officio* 'elected' members of the municipal committees and municipal corporations and form a majority over the members selected by the provincial government. The chairmen who are appointed by the government are paid out of the municipal fund. Each municipal committee elects a vice-chairman from among its elected members. The secretaries of these committees are members of a local councils service and they are transferable as between municipal committees.

A survival of earlier times are the Cantonment Boards. These were established by the Cantonments Acts of 1924 to serve the military and civilian residents of cantonment areas. Responsibility for cantonment boards lies with the central government whereas for all other local authorities the controlling authority is the provincial government. Cantonment boards consist of a number of elected members, these also being the chairmen of union committees within the cantonment, plus an equal number of official members consisting of those appointed by the station commander who is *ex-officio* president of the board, a magistrate nominated by the district magistrate, the garrison engineer and the cantonment health officer. The elected members of the board elect a vice-president. Each board has a salaried executive officer appointed by the Ministry of Defence and is transferable to other cantonments throughout Pakistan. He acts as secretary to the board.

The Functions of Local Authorities

Union Councils

The Basic Democracies Order, 1959, has defined a wide range of functions for the union councils, but as their financial resources are limited these bodies have been given the option to undertake all or any of them: these functions include: provision and maintenance of public ways and public places; plantations and preservation of trees; management and maintenance of the common land; crematoria and burial grounds and common meeting places; prevention of encroachments on public ways; sanitation and conservancy; collection and disposal of manure; regulation of the erection of buildings; provision and maintenance of wells, water pumps, tanks and ponds; regulation of brick kilns and potteries within residential areas; relief measures in the event of natural calamities; adoption of measures for increased food production; provision of first-aid centres, libraries and reading rooms; the promotion of education and agricultural, industrial and community development; promotion and development of the co-operative movement, village industries, forestry, livestock and fisheries.

In addition other functions can be undertaken by the union councils as declared by the government to be appropriate matters for administration by them. A district council can also delegate some of its functions to the union councils with the prior approval of the commissioner.

The Basic Democracies Order also authorises the union councils to undertake certain police and defence functions. Where the collector (deputy

commissioner) is of the opinion that in any union council area or a part thereof, special measures are required to secure village defence or public security, he may, by order, require that all or any of the able-bodied adult male inhabitants of the union council area or part thereof shall be liable to patrol duty for such period and in such manner as may be specified in the order. The government may also establish a village police force in such rural areas as may be notified and it shall be the duty of the village police to assist the chairman and the union council in the performances of their duties.

The chairman of the union council is required by law to give assistance to the district authorities in the collection of revenue and other administrative matters, and to help the village revenue officials in the assessment and collection of land revenue or rent within his union. It is his duty to report to the district police about the commission of any offence and also to assist them in the investigation and prevention of crimes. He is also required to report to the authorities concerned about damage to or encroachment upon any public road, place, building or property. He must publicize in his union such matters as are required by the government or other competent authority.

In addition, the law provides that the union councils can perform such functions as are entrusted to them under any other law at the time in force. At present they are performing judicial functions under the Family Laws Ordinance, 1961, and the Conciliation Courts Ordinance, 1961. They are empowered to decide disputes regarding maintenance allowance to separated wives, divorce, second marriage and other related matters under the Muslim law. The Conciliation Courts Ordinance makes it obligatory for a complainant to seek redress from these councils in case of rioting, injury, wrongful restraint or confinement, misappropriation of property, criminal breach of trust, cheating, mischief, criminal trespass, intimidation and unlawful assemblies. The permissive jurisdiction of these courts extends to cases of assault, theft, house trespass, enticing away of married women and defamation. They are also authorised to decide certain disputes of a civil nature such as recovery of money due on contracts, recovery of movable property, compensation for damage to movable property and damage for cattle trespass. A special feature of these councils acting as courts is that, rather than concentrating on punishing the offenders, they tend to tackle the root-cause of the disputes and effect amicable settlements. This is helping to build up an atmosphere of amity and trust in the villages.

The union councils also perform constitutional functions as their members act as an electoral college for the election of the President of Pakistan, and members of the national and provincial assemblies.

Town Committees

Town committees are authorised to undertake those functions of union councils, municipal bodies and cantonment boards, which may be entrusted to them by the provincial government. In West Pakistan the field of operation of town committees is slightly narrower than the municipalities. Their judicial and constitutional functions are the same as those of the union councils.

Thana/Tehsil Councils

The *Thana* and *Tehsil* councils have no independent functions to perform. Their main task is to co-ordinate the activities and functions of all union councils and town committees in the *thana* or *tehsil*. They act as a connecting link between the district and union councils and town committees. By providing a forum for discussion of problems facing union councils and town committees, *thana* and *tehsil* councils co-ordinate the activities of local councils, on the level lower than that of the district council, with those of government departments and autonomous bodies. The Basic Democracies Order authorises the government to direct any *thana* or *tehsil* council to perform any functions entrusted to a district council or to any union council or town committee. They have been made responsible to the district council and are required to act according to its directions.

Under the Rural Works Programme, these councils undertake the planning and implementation of village development schemes and supervision of works in the union council and town committee areas.

District Councils

The district council is the most important unit after the union council, and its duties as defined by the Basic Democracies Order, cover a very wide range and include:

(i) Mandatory functions

Provision and maintenance of libraries, hospitals, dispensaries, public roads, culverts and bridges; planting and preservation of trees on the road side and public places; provision and maintenance of public gardens, play grounds, public places, public ferries, cattle pounds; rest houses; prevention of encroachments and nuisances; sanitation and public health; prevention of food adulteration; registration of marriages, provision of water supplies; agricultural industries; regulation of traffic; improvements in cattle breeding; and relief measures in the event of calamities.

(ii) Optional functions

As many as seventy functions under various heads, such as education, culture, social and economic welfare and public works, fall into this category.

(iii) Other functions

The district council has been empowered to co-ordinate the work of all the nation building departments in the district and generally to review their progress. It can sanction expenditure up to Rs. 100,000/- on any scheme in the Rural Works Programme. It has also been authorised to formulate and recommend to the divisional council and other authorities, development schemes of importance to the district.

Divisional Councils

The divisional council is the highest tier of the basic democracies and the highest co-ordinating body in the system. It is a new experiment in the field of local government. Formerly, the institutions of local government in Pakistan did not go beyond the district level.

The divisional council co-ordinates the activities of various government departments and local councils within the division. It is authorised to review the progress of various development schemes being implemented in the division, make suggestions for improvements in administration and formulate and recommend to government development schemes of importance to the

division. It can sanction expenditure up to Rs. 500,000/- on any scheme in the Rural Works Programme. It can make such modifications in the plans of the districts as it deems necessary.

The Basic Democracies Order empowers the government to direct that any function entrusted to district councils under the Order shall be undertaken by a divisional council on behalf of all the district councils or any particular council in the division.

Union Committees

The union committees have been required to perform such functions as may be prescribed by the government and they may adopt, with the previous sanction of the provincial government, such measures as are necessary for the purpose of national reconstruction, social uplift, family planning and the creation of civic consciousness. A union committee may also be required by the government to carry out any of the duties of union councils municipal committees and cantonment boards, and the latter two bodies can also delegate functions to the union committees falling within their respective jurisdiction.

In the constitutional sphere, a union committee has the same jurisdiction as that of a union council or a town committee, but in judicial matters the union committee has slightly wider powers.

Municipal Committees

A municipal committee is required under the provisions of the Municipal Administration Ordinance, 1960, to undertake certain compulsory functions and others that are optional. These are subject to certain rules and directions of the provincial government and also to the availability of municipal committee funds.

(i) *Mandatory Functions*

The sanitation of the municipality; collection, removal and disposal of refuse; registration of births, deaths and marriages; prevention of infectious diseases; supply of wholesome water; control of private sources of water supply; public drainage; provision and maintenance of slaughter houses; control over the disposal of carcasses; inspection and control of site development schemes; regulation and control of buildings and their construction; provision and maintenance of public and other streets; street lighting; watering streets; traffic control; civil defence; regulation of dangerous and offensive articles and trades; arboriculture; maintenance of certain prescribed educational institutions; enforcement of compulsory education; making arrangements necessary for public health; safety and amenities on the occasion of fairs, shows or public festivals.

(ii) *Optional Functions*

Regulation of insanitary buildings; provision and maintenance of latrines and urinals; provision of maternity centres; promotion of public health; provision of hospitals and dispensaries; preparation of sewerage schemes; regulation and control of bathing and washing places; maintenance and regulation of public irrigation water courses; licensing of public ferries; regulation of public fisheries; regulation and control over articles of food and drink; provision of public markets; establishment and maintenance of veterinary hospitals, animal homes, farms, and cattle pounds; registration of the sale of cattle; framing and execution of a live-stock scheme; destruction

of dangerous animals; holding cattle shows and maintenance or contribution towards maintenance of zoological gardens; preparation of city master plans; regulation of dangerous buildings; framing and enforcement of street lighting schemes; providing boats and other material needs during floods; execution of famine works and undertaking of famine relief measures; arrangement for public burial places and crematoria; provision and maintenance of public gardens and open spaces; framing and enforcement of forest plans; regulation of nuisances pertaining to trees and planatations; adoption of general measures about the promotion of education; promotion of cultural and recreation activities; promotion of public welfare; sponsoring and promoting of community development projects; and execution of commercial schemes.

(iii) *Other Functions*

The government may require a municipal committee to perform functions other than those mentioned above declaring these as appropriate matters for administration by the committee.

A municipal committee has also been entrusted with the function of co-ordinating the activities of union committees within its jurisdiction.

Cantonment Boards

Cantonment boards are similarly provided by the Cantonments Act, 1924, with certain compulsory and optional functions.

(i) *Mandatory Functions*

Lighting streets and other public places; watering streets and other public places; cleansing streets, public places and drains; abating nuisances and removing noxious vegetation; regulating offensive, dangerous or abnoxious trades, callings and practices; removing on the ground of public safety, health or convenience, undesirable obstructions and projections in streets and other public places; securing or removing dangerous buildings and places; acquiring, maintaining, changing and regulating places for the disposal of the dead; constructing, altering and maintaining streets, culverts, markets, slaughter houses, latrines, drains, drainage and sewerage works; planting and maintaining trees on roadsides and other public places; providing or arranging for a sufficient supply of pure and wholesome water where such supply does not exist; guarding from pullution, water used for human consumption and preventing polluted water from being so used; registering births and deaths; establishing and maintaining public hospitals and dispensaries, and providing public medical relief; establishing and maintaining (or assisting) primary schools; assisting in extinguishing fires and protecting life and property when fires occur; maintaining and developing the value of property vested in, or entrusted to the management of the board and fulfilling any other obligation imposed upon it by or under the Act or any other law for the time being in force.

(ii) *Optional functions*

Laying out new streets and acquiring land for that purpose; constructing establishing or maintaining public parks, gardens, offices, dairies, bathing or washing places, drinking fountains, tanks, wells and other works of public utility; reclaiming unhealthy localities; furthering educational objects by measures other than the establishment and maintenance of primary schools; taking a census and granting rewards for information which may tend to

secure the correct registration of vital statistics; giving relief on the occurrence of local epidemics by the establishment and maintenance of relief works or otherwise; securing suitable sites for offensive, dangerous or obnoxious trades; establishing and maintaining a farm or other places for the disposal of sewerage; constructing, subsidising or guaranteeing tramways or other means of public transport, and electric lighting or electric power works; adopting any measure other than those specified above likely to promote the safety, health or convenience of the inhabitants of the Cantonment.

The Financial Resources of Local Authorities

The extent to which local authorities are able to carry out their functions effectively depends, in large measure, on their financial resources.

An historical survey of local authority finance in the sub-continent shows that until recent times local taxation was arbitrary and haphazard in form. As a result of undemocratic political pressures, it followed no principles of burden sharing. It was complex, inequitable and inadequate.

After independence the government appointed a number of bodies to study problems of taxation and a degree of definition and uniformity has been introduced into local finance in recent enactments. The principles governing central government and local government spheres of finance, however, remain blurred, much overlapping exists and many anachronisms remain.

In outline the position today is as follows:–

The powers of taxation of local government bodies in rural areas are contained in the Basic Democracies Order 1959; while the Municipal Administration Ordinance 1960, governs the taxing powers of urban local government bodies.

Rural Bodies

Taxing powers have been granted to union councils and district councils, while *tehsil/thana* councils and divisional councils have no such powers and are financed by the provincial governments.

Under the provisions of the Basic Democracies Order of 1959 the provincial governments are empowered to specify the particular taxes, rates, tolls and fees which may be levied by union councils and district councils and these were separately scheduled in 1960.

Below are indicated the various forms of revenue which can be raised by rural local authorities and the particular authorities which have been empowered to raise each form of revenue.

(a) **Taxes**

(i) House Tax, which is a tax on the annual value of buildings and lands, is levied by almost all union councils in East Pakistan. In West Pakistan it is unheard of in the rural local bodies.

(ii) Tax on the Import of Goods (the octroi) has greater applicability in the semi-urban areas where there are bazaars or markets. About thirty to forty union councils have levied this tax in West Pakistan so far. In East Pakistan, some union councils imposed this tax but in view of inconvenience to the public, the provincial government disallowed its levy in 1962. Since this and the house tax

mainly fall in the urban sector, a detailed account of them is in the section on urban bodies.

(iii) Tax on the Export of Goods. This is a new tax. A number of district councils in West Pakistan have levied this tax. In Kohat it is leviable on the export of salt and *Mazri* goods from the district, while Sargodha district council collects it on the export of salt, stone-metal and gravel. In East Pakistan this tax is charged by the union councils.

(iv) Tax on the Transfer of Immovable Property is also a new tax. Some of the district councils have levied this tax at the rate of 1 per cent of the value of the property and this source has given them substantial income.

(v) Profession Tax is levied by district councils in West Pakistan and by union councils in East Pakistan. This tax has not so far been levied by the district councils of the former Sind and Baluchistan regions of West Pakistan. The administration of the Tax is unsatisfactory as there is considerable loss through loopholes.

(vi) Tax on animals. The district council of Dera Ghazi Khan in West Pakistan has levied a tax on the export of animals from the district. Most of the district councils levy a tax on the animals sold at the cattle fairs. Some of the district councils like Lyallpur (West Pakistan) derive considerable income from this source. In the case of Mardan district council the income from the tax on animals exceeds the income from the local rate or profession tax. In East Pakistan this tax is levied by the union councils and not by the district councils.

(vii) Tax on vehicles. Almost all district councils levy taxes on vehicles other than motor vehicles. In most cases the tax is levied in the form of licence fees. Some of the district councils in the divisions of Hyderabad and Khairpur levy tax on cycles. In East Pakistan this tax, including a tax on boats, is levied by the union councils.

(viii) Tax on Hearths is levied in most of the union councils of the former Punjab Region. It is a modified form of house tax. A hearth is a unit of family and the tax is levied at the rate of Rs. 1 or 2 per hearth per annum according to the nature of the house.

(xi) Tax on Births, Marriages and Feasts is also a new tax which a large number of union councils have levied.

(x) Community Tax is a special tax levied by the union councils on the adult males to enable the construction of any public work of general utility for the inhabitants of the local area concerned, unless the local council exempts any person doing voluntary labour or having it done on his behalf in lieu of paying the tax.

(xi) Tax on Cinemas. Dramatic or theatrical shows both in West Pakistan and East Pakistan are taxed by union councils excepting in Karachi where this tax is levied by the district council.

(b) **Fees**

Both in West Pakistan and East Pakistan the union councils have been empowered to charge the following fees:– on applications for the erection and re-erection of buildings; for the use of benefits derived from any works of public utility maintained by a union council; for markets (in former

Punjab region it is known as the *Dharat* which is a customary levy of Sikh times); for licences, sanctions and permits granted by a union council; for specific services rendered by a union council; and for the slaughtering of animals. In both West and East Pakistan the district councils charge the following fees:– school fees in respect of schools established by a district council; for the use of benefits derived from any works of public utility maintained by a district council; and for specific services rendered by a district council. Fees for fairs, agriculatural shows, industrial exhibitions, tournaments and other public gatherings are charged by union councils in East Pakistan while in West Pakistan these fall within the jurisidiction of district councils.

(c) **Tolls**

Tolls have been levied by most district councils in West Pakistan on the roads maintained by them. In East Pakistan this authority is also vested in the district councils.

(d) **Local Rate**

All lands assessable for land revenue or rent, are subject to the payment of a local rate. The proportion of the local rate to the land revenue or rent in a district is fixed by the provincial government but in no case may the local rate be more than fifty per cent of the land revenue. In West Pakistan the local rate varies from ten per cent to fifty per cent of the land revenue in different districts. The proceeds of the local rate are divided in the ratio of 90:10 per cent, between district councils and union councils respectively. The East Pakistan Government has fixed for all districts in the province, the local rate of twelve and a half per cent of the annual rent commencing from 14th April, 1960. In that year it was decided that the proceeds from the local rate should be shared equally between the district councils and union councils, but with effect from 1st April, 1962 the proportion has been changed to 65:35 respectively. Local bodies are not concerned with the administration of the local rate as it is collected by the revenue officials along with the land revenue in West Pakistan and with land rent in East Pakistan, and is then credited to local funds.

(e) **Grants**

Grants-in-aid from the provincial governments are a most important source of revenue for the rural local authorities. In East Pakistan over fifty per cent of estimated district council revenue came from this source in 1962-63, and, in four districts, grants accounted for more than seventy per cent of the total income.

Town committees, which are peri-urban bodies have not been specifically empowered by Article 60 of the Basic Democracies Order to impose any of the enumerated taxes. Since, however, the law does not prohibit the imposition of taxes by these bodies as it does in the case of union committees and *tehsil* councils, the West Pakistan government have notified that certain provisions of taxation under the Municipal Administration Ordinance, 1960, shall *mutatis mutandis* apply to all town committees in the province.

Urban Bodies

Municipal committees (or municipal corporations in Karachi and Lahore) and cantonment boards are empowered to levy taxes, rates, tolls and fees as scheduled under the Municipal Administration Ordinance 1960.

The financial resources of urban local authorities are as follows:–

(a) **Taxes**

(i) The tax on the import of goods (the octroi). This is the most important and at the same time the most controversial source of revenue to urban local bodies. This tax on goods consumed within a town has a long history in West Pakistan but was little used in East Pakistan until the Municipal Administration Ordinance 1960 made it available to all municipal committees. Even so there are some East Pakistan municipal committees which have not availed themselves of the power to levy this tax. Early in this century the octroi was replaced by a terminal tax in large towns, i.e. a tax on all goods arriving at a town as distinct from a tax on goods consumed in the town. The municipal corporation of Karachi and municipal committees in the southern region of West Pakistan are still levying the tax in this form.

(ii) The House Tax. Municipal committees and cantonment boards are empowered to levy a tax on house property. The Municipal Administration Ordinance which re-establishes the previously existing power to levy this tax does not prescribe any maximum rate for the tax, but by rules promulgated in 1962 the West Pakistan government has directed that the tax shall not exceed ten per cent of the annual value of the property. The annual value is defined as the annual rent less ten per cent for repairs.

In West Pakistan the property values assessed for purposes of the tax are those determined by the provincial taxation department, whereas in East Pakistan the assessment is carried out by the assessors employed by municipal committees. The power to levy a property tax is also being used by the provincial government in West Pakistan. In East Pakistan the power of the provincial government to levy the tax also exists but has not in fact been exercised.

(iii) Other taxes and rates. In addition to the above two major taxes, the Municipal Administration Ordinance, 1960 has empowered the urban local bodies to impose taxes on transfers of immovable property; on applications for the erection or re-erection of buildings; on the export of goods from a municipality; on professions and trades; on births, marriages, adoptions and feasts; on advertisements; on animals; cinemas; dramatic and theatrical shows and other entertainments and amusements; on vehicles other than motor vehicles and boats; lighting rates, fire rates and conservancy rates; rates for the provision of water works or the supply of water.

Of these sources of revenue most municipal committees have imposed taxes or rates on vehicles and on the supply of water. Recently these bodies have also imposed a cinema tax. Karachi municipal corporation levies taxes on water (beside the water rate), conservancy rates and taxes on cinemas. Apart from the house tax and Octroi, cantonment boards generally levy tax on professions, on erection or re-erection of buildings, on dogs, cinemas and theatrical shows, cycles and water (together with a water rate if the consumption exceeds a prescribed amount).

(b) **Fees**

The law authorises the municipal committees in Pakistan to charge fees for school education; for the use of benefits derived from any works of public utility maintained by a municipal committee for fairs, agriculture shows, industrial exhibitions, tournaments and other public gatherings; for markets; licences, sanctions and permits; for the slaughtering of animals; and for specific services rendered. Cantonment boards also collect similar fees from the cantonment residents.

(c) **Rents**

Besides the statutory authority to levy taxes, rates and other impositions mentioned, local bodies collect rent for the use of land and property vesting in or belonging to them. Many urban local authorities charge rent for their markets, stalls, kiosks and shops. They also charge rent for the temporary use of land which, in the former Punjab area of West Pakistan, is known as *Teh Bazari*. Some municipalities in Pakistan have made a beginning towards the development of income bearing property. The municipal committee of Peshawar and several other bodies have constructed many shops which yield good revenue. Karachi corporation and several municipal committees and cantonment boards own a number of markets. Markets are maintained by several other municipal committees and cantonment boards as well, but at some places these are not as successful from the financial standpoint as they should be. The Municipal Ordinance envisages that every municipal committee should frame and execute property development schemes which should provide for a progressive increase in income from non-tax sources.

(d) **Loans**

Borrowing by local authorities has for long been controlled, with the result that the indebtedness of local bodies in Pakistan is not as severe as in many other countries.

Under the Local Authorities Loans Act of 1914 and a number of Acts relating to specific borrowing the local authorities are permitted to borrow for permanent improvements, emergencies and certain prescribed purposes.

The most important objects for which the local authorities in the country have borrowed from the government or the public are water works and drainage. The West Pakistan government has given loans to some municipalities for water supplies to the extent of one third of the entire estimated cost. The local authorities have borrowed for markets and slaughter houses. Recently, the government of Pakistan has arranged loans from the government of Yugoslavia for Karachi and Lahore corporations for the construction of modern abattoirs.

The loan requirements of local bodies are generally met by the government and the raising of loans in the open market, though permissible under the law, is not encouraged in view of the risks involved. If encouraged, the only result of decentralised borrowing would have been lack of co-ordination without any compensating advantage.

(e) **Grants**

Grants-in-aid are made to both municipal committees and cantonment boards by the provincial governments. These have usually been for specific

purposes. Rarely has a general purposes grant been made to balance the deficit budgets of municipal committees though this is not uncommon in the case of cantonment boards.

In East Pakistan, in 1962-63, where grants constituted more than fifty per cent. of the income of all district councils, this source of revenue constituted only ten per cent. of the income of municipal committees.

Conclusion

The most formidable difficulty confronting local authorities in Pakistan is that of raising the revenues necessary to perform their tasks effectively and thus to establish public confidence and stimulate interest in local government.

The complexity of the financial resources available to local authorities and the nature of their history inhibits sweeping reform as do the conflicting revenue requirements of the provincial government in a limited taxation field.

That a clearer definition of the respective spheres of revenue raising is required there can be no doubt. A clarification of the principles on which local authority financing should be based and their translation into effect through legislation would undoubtedly give new impetus to the advancement of local government throughout the country.

District Magistrate and Police Superintendent in India: the controversy of Dual Control

By HARIDWAR RAI

Dr. Rai is Reader in Political Science at Patna University, Bihar.

The History of the System

REORGANIZATION and improvement of the police was an important concern to which the British Government in India turned its attention after the Mutiny. In 1860, a commission consisting of representatives from each of the six provinces was appointed to consider and report on the whole question. They were instructed to devise a scheme which would ensure that the police organization was centralized in the hands of the executive government.

The commission, in its report, suggested that in every district under the jurisidiction of one magistrate there should be at least one European officer of police, to be styled district superintendent of police, who should be departmentally subordinate to the Inspector General of Police in every matter relating to the interior economy and good management of the force and the efficient performance of every policy duty. The commission, nevertheless, declared that the district superintendent of police should be bound also to obey the orders of the district officer in all matters relating to the prevention of crime, the preservation of the peace and other executive police duties, and be responsible to him likewise for the efficiency with which the force performed its duty.

These proposals were embodied in the Police Act of 1861. Section 4 of the Act read:

> 'The administration of the police throughout a general police district shall be vested in an officer to be styled the Inspector-General of Police, and in such Deputy Inspectors-General and Assistant Inspectors-General as the Local Government shall deem fit.
>
> 'The administration of the police throughout the local jurisdiction of the Magistrate of the district shall, under the general control and direction of such Magistrate, be vested in a District Superintendent and such Assistant District Superintendents as the Local Government shall consider necessary.'

It is clear from the provisions of the Police Act that the intention was that for maintaining discipline in the police force in the district, the superintendent of police was to be exclusively responsible. But the police force was to be an efficient instrument at the disposal of the district magistrate for the prevention and detection of crime, and was to be under his general control and direction.

But this arrangement, as contemplated by the Act, could not be carried out because the members of the civil service did not appeciate the separation of police work from district and divisional executive agencies. They were

afraid the step would reduce the powers of the commissioner (the administrative officer in charge of a division) and the district magistrate in the field of criminal administration and would weaken their authority in so far as it was needed for the collection of land revenue. They found strong supporters in John Lawrence, the Governor-General, and George Campbell, the Lieutenant-Governor of Bengal, both of whom believed in the paternal form of government. John Lawrence felt that the effect of the Police Act had been more or less to divide the authority of the district magistrate, and in some cases almost totally to subvert it. He agreed with the majority of the civil officers that the district magistrate should be vested with absolute control over the police.[1] He was a firm advocate of complete concentration of magisterial and executive duties in the hands of the district officer. He wanted to make the district officer a kind of 'terrestrial providence'[2] and the immediate instrument of rule.[3] His motto was that the district officer as the symbol of rule must represent the sovereign power, must be the sole ruler in his locality, must be ubiquitous, and must know everything affecting the welfare of the people.[4]

George Campbell, Lieutenant-Governor of Bengal (1871–1874), was even more determined to bring the police completely under the authority of the district magistrate. He had implicit faith in the divine despotism of the civil service, and was opposed to any administrative arrangement which kept an important department like the police under a system of dual control. He wanted to devise a system of control which would make the police completely subordinate to the district magistrate for all purposes. He issued rules regarding police procedure in criminal cases, impressing upon the police that they were the hands of the district magistrate, and the proper agency to be used by him for all purposes connected with the peace, order and conservancy of the district, the regulation of public meetings, and other matters of district management. The district magistrate was to receive from the police active and loyal assistance, while being at the same time responsible for their proper employment. He further ordered that the district magistrate must be consulted in regard to the appointment and promotion of the police. He promulgated a set of rules which prohibited the district superintendent of police from corresponding direct with the Inspector-General of Police or his deputies. Besides, all matters, except accounts and returns, were ordered to be sent through the district magistrate, except when during his absence, he had given orders to forward any particular case.[5] Thus, he struck at the root of the system of dual control envisaged by the Police Act of 1861, reducing the police to an agency of the office of the district magistrate.

This system of control continued to operate until it was found that it was a deviation from the principle laid down in the Police Act of 1861. The Police Commission (1902-1903) complained that district magistrates in

---

[1] Dharm Pal, *Administration of Sir John Lawrence in India*, 1864–1869, (Simla, Minerva Book Shop, 1958), p.22.

[2] R. B. Smith, *Life of Lord Lawrence*, Vol. II, (London, Smith, Elder & Co., 1883), p.53.

[3] Michael Edwardes, *The Necessary Hell*, (London, Cassell, 1958), p.58.

[4] John Beames, *op cit.*, p.102.

[5] C. E. Buckland, *Bengal Under the Lieutenant-Governors*, Vol. I, (Calcutta S.K. Lahiri, 1901), pp. 537/538. See also Sir George Campbell, *Memoirs of My Indian Career*, ed., Sir Charles E. Bernard, Vol. II, (London, MacMillan & Co., 1893), pp. 246 et seq.

Bengal, Bihar and Orissa took resort to a degree of interference in the administration of the police department 'which the law did not contemplate, and which has often been most prejudicial to the interests of the department.'[6]

The pattern of relationship that the Police Commission contemplated was that the superintendent of police was the head of the police in the district. Though he must carry out all the lawful orders of the district magistrate, he was not his assistant in the sense in which an assistant collector was. He was not to be treated in such a way that deprived him of influence over his own men and of interest in his work. He was to be under the general supervision and control of the district magistrate. He was to be advised, and reported if recalcitrant. Unwise and unjust punishments were to be checked and improper appointments were to be prevented. The district magistrate was rarely, and only of necessity, to interfere in ordinary police work or in investigation; but the discretion was to be left to him as to when interference was necessary. At the same time, the Commission insisted on 'the subordination of the police force to the district magistrate who is responsible for the criminal administration of the district and for the preservation of the public peace.' 'The District magistrate' it added, 'must be kept informed of the progress of criminal administration. The important diaries which are sent to him, and the fact that all arrests have to be reported to him, go far to secure his being kept informed. His own tours and his accessibility to the people of all parts of the district are also the most valuable means of keeping him informed of all that goes on'. The district magistrate's authority in respect of criminal administration in the district was to be maintained, because he was the officer 'in every way marked out for the discharge of the duties of supervising both the magistracy and the police . . . He is the connecting link between the executive and judicial functions of the administration.'[7]

The government of India passed orders on the Police Commission report in which they declared that the district magistrate was, and must continue to be, the chief executive authority in the district, and in that capacity was responsible for the peace and good order of his charge; the police must be completely under his control and direction, and he must, subject to the usual control of the commissioner and the government, have unquestioned power to employ them as he thought best for the maintenance of law and order, and the detection and suppression of crime. The government orders, however, made it clear that the district magistrate should not interfere in matters of departmental management and discipline, except where the conduct and qualifications of a police officer affected the criminal administration of his district.

The Present Position

The position today is that the district magistrate, commonly referred to as the district officer, is the chief executive authority in the district. In this capacity, he is responsible for maintaining the public peace, and for administering justice in the district. The district police and magistracy function under his general supervision and control for this purpose. He is the co-ordinator and motive power of these two organs of the administration.

The district superintendent of police is responsible for the efficiency and

---

[6] *Report of the Indian Police Commission*, (1902-1903), *op. cit.*, p.79.
[7] *Ibid.*, P.81.

good behaviour of the district police and is in direct command of the force. He is also responsible for all matters concerning its internal economy and management and for the proper performance of all its preventive and executive functions.[8]

As head of the criminal administration, the district magistrate keeps himself in touch with the crime situation in the district. He receives fortnightly reports from the superintendent on this matter, and is competent to direct him to submit either general or special reports on any matter connected with crime, the criminal classes, the prevention of disorder and the disposition of the police force. He has, however, to exercise his power of control in such a way as not to weaken the authority of the superintendent or to deprive him of his responsibility. He has, therefore, to avoid the issue of executive orders, as far as possible, until he has consulted the district superintendent of police.[9]

The superintendent must remain in constant personal communication with the district magistrate, and consult him on all important matters. It is his duty to extend all possible assistance to the district magistrate in the criminal administration of the district. In case of disagreement between the two on any question, the superintendent must carry out the orders of the district magistrate. He can, however, request the district magistrate to refer the point under dispute to the Range Deputy Inspector-General, and if the latter, after any further enquiry he may think necessary, does not accept the district magistrate's views, he must refer the matter to the commissioner, who decides such cases in consultation with the Inspector-General of Police.[10]

The Controversy

The concentration of police and judicial functions in the district magistrate has been a subject of controversy going as far back as the beginning of British administration itself. The nature of the controversy has, however, undergone a change since the attainment of independence. The separation of police duties from the judicial (criminal) functions was advocated in the past on the ground that the combination implied the concentration of powers of investigation and those of trial – the powers of thief-catcher and those of judge – in the district magistrate. Now the argument advanced against the district magistrate's supervision and control over the police is to the effect that it weakens the authority of the superintendent of police, impairs the morale and discipline of the force and erects a cumbrous system of dual control.

Arguments against the Status Quo

The question was discussed at great length at the Police Science Congress held at Patna in August, 1960. It was the unanimous opinion of the Congress that 'the time had definitely come when the superintendents of police should be placed completely in charge of law and order . . . free from all interference

---

[8] *The Bihar and Orissa Police Manual*, 1930, Vol. I, (Patna, Superintendent, Secretariat Press, 1955), Rule 15.
[9] *Ibid.*, Rule 18.
[10] *Ibid.*, Rule 19.

from non-departmental authorities.'[11] The general control of the district magistrate over the police was characterized as unnecessary on the following grounds:

(i) The provision in the Police Act of 1861 regarding the control and direction of the district magistrate was a temporary expedient. It was caution in excess, because in the wake of the 1857 disturbances the Government did not feel like taking the risk and abolishing the system then existing.

(ii) The separation of the police functions from the district magistrate is a natural corollary to the separation of the judiciary from the executive which has been effected in many districts of Bihar and those of other states.

(iii) The district magistrate is saddled with heavy developmental and welfare work. He has hardly any time left to devote to police matters. The exercise of police functions by the district magistrate is bound to prove detrimental to his effectiveness as a welfare officer.

(iv) With the abolition of *zamindaris*, the district magistrate is now necessarily a party to many land disputes and it is only desirable that the police should be completely independent so that they can discharge their duties relating to law and order and investigation of cases impartially.

(v) The district magistrate has, in practice, much greater powers of supervision and control over the police than was contemplated by the Police Act of 1861, or envisaged by the Police Commission of 1902. Besides, it was never the intention of the Act of 1861 to invest the commissioner and the subdivisional officers with the powers of supervision and control over the police.

(vi) The system of dual control makes it difficult to fix responsibility and also leads to delays in taking decisions.[12]

The Uttar Pradesh Police Commission also examined the pattern of relationship between the district magistrate and the superintendent of police. Almost all the superior police officers who appeared as witnesses urged upon the commission that the control exercised by the district magistrate over the superintendent of police was 'indicative of want of confidence in the superintendent of police'. 'The superintendent of police' it was argued by them 'is responsible for law and order and the power must go with responsibility. The control of the district magistrate lowers the position of the superintendent of police in the eyes of his subordinates and causes loss of morale in the police force.[13] They further maintained that both the I.A.S. and I.P.S. officers were recruited from the same class of people; they possessed similar educational qualifications and went through almost similar examinations. It was further pleaded that the district magistrate was too busy with planning and development work to devote adequate attention to police work. The commission was favouably inclined towards these views. It was critical of the exercise of any control by the district magistrate over the police force

---

[11] *Report on The Police Science Congress, Patna.* (Patna, Superintendent, Secretariat Press, 1960), P.68.

[12] *Ibid.*, pp. 68–69.

[13] *Report of the Uttar Pradesh Police Commission*, 1960–61, (Allahabad, Superintendent, Printing and Stationery, 1961) p. 16.

and felt that 'if the police has to function as a disciplined and efficient force, it must work under the exclusive control of the Superintendent of Police.'[14]

Arguments for the Status Quo

The foregoing suggestions are too destructive of the existing system of Indian administration, with the district magistrate as its key figure and fulcrum, to meet with general approval. They purport to take the entire gamut of criminal administration out of his existing functions, transferring its judicial part to the district judiciary and its executive part to the district police. The result would be to erode his traditional authority and influence, leaving him shorn of that authority and power which enable him to function as the local agent and representative of government in the district. This gives rise to some questions: who will act as the general factotum of government in the district? And, who will exercise a restraining and humanising influence on the district constabulary?

The Bihar Police Commission (1960–61) which examined this aspect of criminal administration, was in general accord with the system of the magisterial supervision over the police, though it suggested some modification of the rules that guide the relationship between the magistracy and the police.[15] It felt that the present conflict between the magistracy and the police in general and the district magistrate and the superintendent of police in particular is due more to a conflict of personalities than a defect in the system.[16] It suggested that various causes of misunderstanding which often led to conflict should be removed. It is arguable, however, that its diagnosis of the causes and its proposals for removing them were not in accord with the purpose it had in view. For example, its recommendations that the district magistrate should not initiate the confidential character roll of the superintendent of police nor should he countersign his travelling allowance claims would only weaken his authority in respect of the police and would reinforce rather than eliminate the conflict of personalities, as visualised by the Police Commission.[17] Further, its recommendation, that the general control of the district magistrate over the Superintendent of police should be maintained,[18] would become meaningless, if the former were divested of his power to initiate the confidential character roll of the latter.

It may well be argued that the existing arrangement has stood the test of time and has functioned satisfactorily. Nor can it be refuted that the district magistrate has a more intimate contact with the public and functions as a shock-absorber between the police and the public.[19] It is imagined that the district magistrate, in view of his judical background, his executive experience and his awareness of social and political forces in the community, can look at the requirements of law and order in perspective, having regard to the liberties of the people guaranteed in the constitution. The advantages of the

---

[14] *Ibid.*, pp. 17–18.
[15] *Report of the Bihar Police Commission*, 1961, (Patna, Superintendent, Secretariat Press, 1961), p. 150.
[16] *Ibid.*, p. 151.
[17] *Ibid.*, p. 151.
[18] *Ibid.*, p. 151.
[19] This view was held by a group of witnesses consisting of serving district magistrates and commissioners who appeared before the U.P. Police Commission. See the *Uttar Pradesh Police Commission*, op. cit., p. 17.

district magistrate's control over the police may be briefly enumerated as follows:

(i) The district magistrate brings about co-ordination between the prosecution and police. In the day-to-day working of various departments connected with the criminal administration of the district, his presence reconciles conflicting interests, reduces friction, effects co-ordination and fixes responsibility.

(ii) The police force is a single organized body for the whole state, and, if it is left to itself, it might become rigid and oppressive. Therefore, the general control of the district magistrate over the police means a healthy, restraining and humanising influence.

(iii) The police are inclined to look at the problems of criminal administration from the rigid police angle, but the district magistrate who comes into close contact with all sections of the community and as the 'custodian of the general interests'[20] of his area, looks at them from a much broader angle.

(iv) 'The unique position of the district magistrate as the chief representative of government in the district, as *primus inter pares*, as the leader of the district team, and as the man who wields statutory responsibility for the maintenance of law and order in his district, demands that he should be given, in full measure, the confidnece, trust, loyalty and support of the superintendent of police.'[21]

(v) The present arrangement provides a superior authority more accessible than the State Government itself to set things right when they go wrong, and apportion blame and praise.

An Assessment

The pattern of relationship between the district magistrate and the superintendent of police is based on the system of dual supervision which, in turn, rests on a dichotomy between the generalist and the specialist, assuming a double channel of supervision from the top down and a dual set of loyalties from the bottom up. This arrangement is suited for and promotes an integrated system of field administration. Under the arrangement, certain officers are administratively responsible to one superior and technically or organizationally responsible to another. It is observed that in many Western European countries, there is a senior state official at the level of a province or department, which is a standard administrative area like the district in India, who represents the central government and is the principal government functionary in his area. This Governor-Prefect System, also known as the 'Empire model',[22] is based on the general principle 'that the government needs its own representative in the provinces to co-ordinate the national services operating there, to ensure that local authorities act within the law –, to act as the ultimate authority for maintaining public order, and to act as a focal point for common local interests between different authorities.'[23]

---

[20] The role of the district magistrate as described to the author by a senior member of the I.C.S.

[21] *The Uttar Pradesh Police Commission*, op. cit., p. 163.

[22] Arthur W. Macmahon, *Delegation and Autonomy*, (Bombay, Asia Publishing House, 1961), p. 34.

[23] Brian Chapman, *The Profession of Government*, (London, George Allen & Unwin, 1959), p. 70.

The Indian system of district administration is based on such a model of integrated field administration, the superintendent of police is the head of the district police force and is responsible for its discipline, morale, and internal economy. But he works under the administrative supervision of the district magistrate who, as the chief executive authority in the district, is responsible for the entire criminal administration of his area and is vested with statutory powers of general control and direction over the district police force. 'While the police is under the control of the district magistrate and not independent of him, yet it has been made a department with its own self-contained internal administration.'[24] Though the district magistrate initiates 'the character roll' of the superintendent of police, conducts enquiries against police officers not below the rank of inspector, can order their transfers and postings within the district, inspects police stations, etc., he cannot interfere in matters relating to arming, drill, equipment, exercise and punishment of officers below the rank of Inspector. Nor can he interfere in the internal management of the force, except where the conduct, character and qualifications of a police officer affect the criminal administration of the district.

This sort of arrangement places a premium on the personal equation and necessitates a reasonable degree of mutual understanding, tact and regard for the contribution made by each functionary towards a common end. A structural arrangement alone never solves any administrative problem. The non-human element will have to be tempered by personality adjustment so that departmental self-centredness and compartmentalization in the administration are kept under check. This involves the humanising of all relations and is, therefore, synonymous in administration with team-work. This arrangement, in order to succeed, needs to be based on mutual respect and it involves a common idealism. The district magistrate and the superintendent of police have to work as partners and colleagues for a common cause, namely, efficiency, integrity and impartiality in the criminal administration. They will fail if they are guided by petty personal and departmental considerations. What is at stake is the very basis of a civilized existence, that is, peace and good order. They will succeed if they constantly keep in view the broad objective of the good of the people and the high responsibilities attached to their offices. This common interest can be used as a bridge to united effort, even when the short-term interests of the two are, or appear to be, in direct opposition.

---

[24] Edmund C. Cox, *Police and Crime in India*, (London, Stanley Paul and Co.,), p. 58.

Quarterly Notes

ZAMBIA – *First National Development Plan, 1966–70.*

(a) *Objectives*

The eight main objectives of the Plan may be summarised as follows:

(i) To diversify the economy so that the copper industry is not the only main employer in the economy, and so that a greater proportion of domestic demand is satisfied by domestic production from a large industrial base.

(ii) To increase employment by at least 100,000 jobs during the course of the Plan.

(iii) To increase average monetary output per head from £61 per annum in 1964 to about £100 per annum in 1970.

(iv) To maintain reasonable price stability.

(v) To minimise the inherited economic imbalance between the urban and rural sectors with a view to raising the capacity of the latter sector for transforming resources into social and economic growth.

(vi) To raise rapidly the general levels of education, as well as develop a wide range of specific technical, administrative, executive, professional and management skills in the population.

(vii) To provide more and better living accommodation as a requisite ingredient of a better standard of living, and to raise the general level of social welfare.

(viii) To develop new communications, sources of energy, transport and other economic infrastructure for a new economic order.

The changes in the economy implied by these objectives will take place against the background of a rapid increase in population. Zambia's population is estimated at 3,712,000 in 1965, and, on the basis of a probable growth rate of 3.5 per cent. per annum, will increase to 4,364,000 in 1970. Life expectancy which is estimated at 40 years in 1965 is expected to be 42.5 in 1970 and 45.0 in 1975. The age structure of the population is expected to modify in the direction of a younger population, approxiamtely 27 per cent. being of school age (7-18 years) in 1966, as against 28 per cent. in 1970. Urban population is expected to grow at 8 per cent. per annum until 1967, slowing down thereafter progressively to about 5 per cent. in 1970.

(b) *Planning Procedure*

The final Plan was then prepared paying especial attention to the regional breakdown and distribution of capital investment. This presentation is contained in the eight Regional Programmes which correlate strictly with the national programmes for each major sector. No attempt has been made to provide equal levels of investment for all provinces. It is realised that there is a certain contradiction between the concept of regional balance and that of investment in growth sectors of the economy. The aim of regional investment programmes has been to increase the productivity of such regions having regard to their absorptive capacity and the total resource balance. In framing the national sectors of the Plan close attention has been given to investing in

growth sectors such as transport, industry and education, and to maintaining a reasonably stable level of employment in the building sector, rather than obtaining a smooth progression of the rate of capital investment. An ambitious capital investment programme aiming at structural transformation will, by definition, produce imbalances in its initial stages, and such imbalances will be significant indicators of growth.

(c) *Financial Plan*

(i) TOTAL CAPITAL INVESTMENT

Total capital investment for the period 1966–70 will amount to £429 million of which £282 million will be provided by the public sector, and £147 million are estimated to be available from the private sector.

(ii) GOVERNMENT RECURRENT EXPENDITURE

Recurrent expenditure of ministries and services for the period 1966–70 will amount to £339 million.

(iii) GOVERNMENT REVENUE

Government recurrent revenue from all sources for the period 1966–70 will amount to £524.8 million.

(iv) INTERNAL LOANS AND SELF-FINANCING

Over the period 1966-70 domestic loans are estimated at £30 million, while self-financing is estimated at £3 million.

(v) EXTERNAL LOANS AND FOREIGN AID

Over the period 1966–70 external loans will be sought for development projects to a value of £58 million, and foreign capital aid to a value of £5 million.

(d) *Execution of the Plan*: *Regional*

A National Development Plan is conceived centrally yet the majority of the projects of which it is composed, are executed on the regional level. Apart from a number of single projects, representing large investments of a national interest (such as the University of Zambia, the fertiliser factory, or the international trunk roads), the programmes conceived by individual ministries will be executed in the regions. Thus, the national programmes presented in the Development Plan have been located by province in so far as this is possible.

The Provincial Development Committees have already played an important part in the preliminary planning of the First National Development Plan. They have been asked to advise on the priorities of development expenditures in each province and have also, through the officers represented on the committees, prepared regional data forms on which are tabulated the resources of each province and projections for 1970. It is important, if planning at the provincial level is to be effective, that the Provincial Development Committees should now be asked to co-ordinate and assemble detailed programmes of development projects in the provinces, taking into account not only the projects of all Government departments, but also the projects of the urban and rural local authorities within each province so that the total development effort of all central and local Government agencies is co-ordinated and given maximum effectiveness.

The Provincial Development Committees have met regularly since the beginning of the Transitional Development Plan to consider reports from the Provincial Officers of ministries represented in the province on progress and difficulties being encountered in executing projects. It is intended that

this function should continue to be exercised in the First National Development Plan and that, in addition, each Provincial Development Committee be given a lump sum of money to enable it to overcome unforeseen bottlenecks in the execution of approved programmes of development that either are not the responsibility of any single ministry or cannot easily be solved by normal procedures or through local authority action. It is recommended that this sum averages £25,000 per province during the first year of the First National Development Plan, which could in the light of experience be increased if necessary in the later years of the Plan. Each provincial Development Committee, and ultimately the Office of National Development and Planning, will therefore be more directly responsible for the success or failure of its regional development plans.

FIJI – *1966–1970 Development Plan*

Legislative Council Paper No. 11 of 1966 produced by the Central Planning Office, Suva, is a development planning review. A further document will be issued containing the Fijian Government's allocations in money terms to the various developmental purposes proposed.

In the period 1966–1970 it is estimated that recurrent revenue will rise from £F 11.3m to 14.8m, recurrent expenditure from £F 11m to 14.3m and capital expenditure from £F 3.5m to 4.4m.

The following extracts from the Council Paper are of general interest:

'During the last two years government departments have been engaged on formulating their objectives and drawing up sectoral plans for incorporation in the general plan. The Central Planning Office has operated as the technical secretariat in co-ordinating these activities. In order to dispel misconceptions it may be stated that the Central Planning Office has not been concerned with substantive policy proposals, although it has helped in identifying subjects requiring survey and study and in formulating requests for technical assistance from outside sources such as the British Government or the United Nations.

The content of the Plan 1966–1970 will not make major changes from previously existing development policies. However, the Plan has an enlarged scope and integrates resources and expenditure into the general economic framework of Fiji. It is in this aspect of presenting a consolidated economic balance sheet that the main purpose of systematic planning lies. The Plan is also articulate and expository and thus permits a large degree of understanding and assessment by those not familiar with the details of the various matters.'

Financial Planning

'One of the main subjects in planning is normally a survey of the available investment finance in relation to the need for investment. It is usually a matter for anxious concern how the gap between investment requirements and actual investment capital is to be filled.

It is not possible in Fiji to assess the investment situation in these terms in any meaningful way. The main reason for this is the unhindered movement of free funds into and out of the country. It should be said at once that this exchange freedom is at present working to the advantage of Fiji.

Domestic private or corporate savings may be kept in Fiji or transferred overseas. In fact, a very large proportion is probably invested overseas in

countries like Australia, New Zealand or Britain. On the other hand, funds are brought into Fiji for current expenditure or investment as desired.

A substantial part of company profits and personal savings is in expatriate hands. The disposition of this money is therefore subject to special considerations, but there has been ready willingness to invest in Fiji. Expatriate residents have also been bringing into Fiji, funds earned and saved in their home countries for investment here.

Statistics on invisible transfers are not available, so that only broad guesses can be made of the balance of payments.

In this situation it would serve little purpose to estimate the size of domestic savings capital, if it can be done, with reference to Fiji's investment requirements.

As far as public investment is concerned, an assessment (has been made) in this Review.

Two conditions will determine the volume of private investment in Fiji. They are: (1) the existence of profitable investment opportunities, and

(2) confidence in the political and social stability of the Colony.

One may assume that, if these conditions are fulfilled, there will be no shortage of investment capital.'

BRITAIN – *Development Administration*

Under the direction of the Professor of Politics, the University of Leeds will hold a nine month course commencing in October leading to the award of a diploma in Development Administration.

The main purpose of the course is to provide facilities for the study, within the broad context of economic and political development, of the role of public enterprise in a national economy and of the problems of administering, managing and controlling the 'public sector' of a country's industry.

All course membets attend four basic lecture courses, viz:—

(1) Economic Development
(2) Politics and Administration in Developing Areas
(3) Public Enterprise
(4) Industrial Management and Industrial Relations.

A University degree is a desirable but not an essential qualification for admission. Practical experience and/or professional qualifications will be considered.

DEVELOPMENT ADMINISTRATION – *Statements worth noting*

Recently, the term "development administration" has become a fashionable expression. Its use seems to add a touch of sophistication to the more prosaic "public administration" and sets the user off as one of the cognoscenti who recognizes the important role of development in the current affairs of government. But, like so many colourful expressions, it is somewhat artificial. Its meaning is unexplored and deceptively vague, and it is in danger of becoming merely a slick expression for "good public administration" that adds nothing to professional vocabulary or to thinking about problems of public administration.

This is regrettable, because the concept of "development administration" as distinct from some other kinds of public administration is a useful one. There are, or should be, many important, clearly recognizable differences

between public administration in a poor country striving to attain self-generated economic growth and public administration in high income countries. It is time to rescue the term development administration before it has lost its usefulness by becoming imbedded in general and differing usage. There is still time to give it a distinctive substance and set boundaries for its meaning that will keep it a useful as well as colourful expression.

To demonstrate the need and usefulness of the concept of development administration as a particular type of public administration, it is necessary to show that it involves special understandings required in underdeveloped countries. These must be perceptible at operating levels; that is, officials must make enough different decisions, adopt enough different policies, and engage in enough different activities to warrant the distinctive designation.
(Irving Swerdlow in his Introduction to Development Administration, Syracuse Press, 1967)

'We are inclined perhaps to wish to push projects faster than civil servants with their caution can cope with. Let us hope that useful compromises will come out of this series of seminars, and let me renew what I said here last December, that I hope the civil servant can move slowly a bit *faster*, and that we, on our part, can learn to move fast *more slowly* when it comes to execution of projects."
(T. N. Malinda, M.P., at a development seminar, Kenya – April, 1966.)

'We in the Planning Commission and others concerned have grown more experienced and more expert in planning. But the real question is not planning, but implementing the Plan. That is the real question before the country. I fear we are not quite so expert at implementation as at planning . . .'
(Pandit Nehru quoted by Albert Waterston.)

'By and large, the performance of the administrative machinery is deficient not because officers and men are not patriotic or dedicated enough but for a variety of structural and organizational shortcomings; for want of clarity or decision at policy-making levels; wrong juxtaposition in which power is divorced from responsibility; because rules and regulations charging the officers and men are inapt and ill-conceived; because at appropriate levels of reference a ready machinery for a decisive resolving of differences does not exist. There are no villains with horns and hoofs in the administrative jungle': just common or garden varieties of ordinary folk with their average share of virtue patriotism and goodwill. They will just as loyally carry out the duties of a well-orchestrated relationship.

'In this business of administrative integrity, undoubtedly, much the more important level to consider is the political level. It is the corruption at the political level to which a good part of the administrative corruption is directly or indirectly accountable. Apart from corruption, if the integrity of the administration is habitually undermined by political pressures and partisan interference, it is obvious that the machinery of government could be abused or suborned to an unlimited extent.

'Administrative reforms have to be formulated with an eye to their implementation and not merely as an academic exercise. The whole business presupposes the necessary political will – and indeed an inflexible determination – to do the right thing and to cut through the gordian knots and snarls and vested interests which are well-entrenched within the administrative status quo. Therefore, obviously the reforms body must have a lot of political punch to power its elbow. At the same time, the issues involved are often complex and detailed. The formulatons, therefore, must also flow from an adequate level of expertise. How do we achieve all this?

'The job has got to be done. The furnishing of good government to a seventh part of the human race is at once the greatest challenge and the greatest opportunity for Indian statemanship.'

(Extracts from The Administrative Jungle, Seminar 85.)

'. . . the improvement of development administration depends on a host of interrelated factors: on a well-balanced contribution to public policy-making by the various units participating in this essential process, on the quality of the organization members from the top to the bottom, on the formalization of the administrative process by administrative doctrines, on the institutionalization of applied research and utilization of available knowledge, and finally, on a supportive and innovative atmosphere in government administration.'

'A governmental bureaucracy is a sub-system of society in general and of political institutions in particular. The future role of the development bureaucracy depends to a considerable extent on the interrelations between politicians and senior officials in public policy-making. The administrative patterns of behaviour reflect sociocultural attributes of the society. But, first of all the administrators who serve as agents of social change must change their own patterns of behaviour.'

(Moshe Weiss, Director, Central School of Administration, Jerusalem.)

'There is increasing awareness that the gap between plans and performance in developing countries is attributable in large measure to deficiencies in administrative aspects of plan formulation and implementation. Administrative capability may be overestimated. Sound measures needed to increase administrative capability may not be planned, or if planned, not executed. Means for control of plan implementation and for the taking of timely corrective measures may be inadequate. Or, if the elements needed for sound administration are present, failures in management may cause shortfalls in performance under national planning.

'A number of practical tools are needed. The most immediate need is for a manual to train administrative analysts in designing information systems for plan formulation and control of plan implementation. Ideally, such a manual should reflect the findings of other studies mentioned below, but in view of the urgency of need, plans are being made to prepare a manual on the basis of existing knowledge and insights and to revise it as necessary later.

'Other tools are also needed: in particular, tools for measuring administrative capability as a guide in long-range planning and for increasing that capability as required by development plans. Public administration experts should be able to advise planners on the administrative implications of plan proposals, on the limits to which administrative machinery can be put in a given period, and on a strategy for investment to increase administrative capability. With respect to the latter, correlations between administrative improvement and economic and social progress and guides for fixing the amount and direction of investment in administrative improvement would be useful.'

(Extracts from the Public Administration Newsletter Number 7; October, 1966.)

Book Reviews

DEVELOPMENT PLANNING—Lessons of Experience by ALBERT WATERSON, assisted by C. J. MARTIN, AUGUST T. SCHUMACHER and FRITZ A. STEUBER; *John Hopkins Press, U.S.A., Oxford University Press, London,* 1966; pp. 725; 65s.

Not so very long ago it was not uncommon to think that all that was needed to produce a development plan was three weeks and a slide rule. Further, that once the plan has been produced then development would automatically flow from the carefully thought out relationships. But in practice things have not worked out this way. A considerable amount of experience has now been accumulated and although in a sense every experience is unique there is undoubtedly much to be gained from studying the problems, failures and achievements of others. The great value of this book by Albert Waterston and his associates is that it is based on the hard facts of planning life, and it is a substantial contribution to the subject. Its coverage is wide and deep and it deals with planning in developed and less developed countries, in socialist and mixed economies. The analysis is set too in its historical context and the authors trace the growth of the concept of planning and of its application.

The presentation of the material is excellent. The style of writing is clear, the chapters are each set out with useful sub-headings; and each is rounded off with a summary and conclusions. There are also some very useful appendices with lists of the plans of individual countries from the time when each started formal planning. There is a good bibliography and a full index. In short reference is easy and this gives it added value for harassed planners.

It is not however without certain weaknesses. From time to time one wonders if one is reading the minutes of a discussion meeting with everyone's point of view carefully noted. It revels in talking about pros and cons, about advantages and disadvantages, about 'either' and 'or'. Also, although filled with references to the experiences of various countries, they somehow lack sustained examination. Our appetite is whetted for a longer and deeper analysis of individual countries' plans from the earliest stages of gestation right through formulation and implementation.

A major part of the book deals with the administrative problems of planning and the proportion rightly reflects the overwhelming importance of this aspect of the operation. Of special interest are the problems of internal co-ordination among the various agencies which have a hand in planning. This co-ordination is relevant not only to the various ministries, departments and agencies within government offices at the centre, but also to the possibly much more difficult relationship of the centre to the provincial administrations. Basically what one is talking about is plan implementation and as Sir Arthur Lewis has expressed it in his *Development Planning*, 'Making a plan is an exercise of the imagination, while implementation is a struggle with reality.' The reality is frequently somewhat sombre and Albert Waterston has not shirked this. Indeed he starkly acknowledges, 'Few governments of less

developed countries can cope with the range, variety and complexity of administrative problems which development planning brings.' (page 249).

If this is the case should there not be great flexibility in planning methods and great restraint in proclaiming ideal planning models? Are we not in danger of placing far too heavy an administrative burden on developing countries by requiring the creation and implementation of a plan that is removed from the capacity and condition of the country it is designed to work in? To what extent does Soviet planning experience have relevance for say Ghana? Does Indian experience provide helpful lessons for a country like Uganda? Can the question of the location of a central planning agency be properly answered other than in the context of the political, economic, social, educational and administrative conditions and objectives of the country concerned? The author of this book does not shirk from these issues, but – wisely perhaps – he is cautious in his judgments. 'A ministry of finance is the commonest location among traditional ministries for a central planning agency. Many arguments can be adduced in favor of this location, but there are as many against it.' (page 490). Model answers are not provided because they do not exist, but the author shows with considerable skill the alternative choices that are open and the implications that can arise from following a certain course of action. This sort of book is much needed and under single covers a wealth of world-wide experience has been accumulated. And all this in less than 100 cubic inches of shelf space!

Guggisberg, by R. E. WRAITH: *O.U.P.. West African History Series*; 1967; pp. 342 + viii, index, illustrations; 42s.

One's attention is arrested by the sad, stern, arrogant gaze of Sir Gordon Guggisberg looking down, as it were, from the almost life sized portrait on the jacket. Evidently, one learns, the portrait of a handsome and dignified King's representative who drives himself and his colleagues relentlessly to the clear objectives and policies which he is sure are right and best in the interest of his charges; for his charges come first in his thoughts, and they know it. Duty was not yet becoming out of date as the prime motive of life when he served in the Gold Coast and Ashanti, reaching the zenith of his career in the twenties; but despite his great achievements and the trust he inspired around him there is a sad shadow veiling those challenging features. We learn that their owner never achieved domestic happiness. Was this part of the reason, the author wonders, why he lived entirely for his work? Was it because he had little else to live for?

However that may be, Mr. Wraith conducts us through this stimulating Life with his usual lucidity of expression and narrative, helped by a wide experience of the African background, but necessarily missing the benefit of a study of many contemporary official unpublished records.

After unearthing his hero's origins, Mr. Wraith gives a vivid description of his hard apprenticeship as a seconded Royal Engineer surveying the unmapped forests of the West Coast, then through the mud and horror of Flanders to a dramatic and unexpected appointment by Lord Milner to be Governor of the Gold Coast and Ashanti, thanks partly to a flutter of petticoats it seems. He thinks this appointment odd and unusual for a man of

Guggisberg's background and, warming to his theme, writes 'the loss of talent caused by the persistent belief that colonial administration was an art so esoteric that it could only be successfully practised by someone who had never done anything else is incalculable.' (p. 75). This is nonsense. In the early years of the century of which he is writing, there were soldiers, sailors, policemen, doctors and lawyers in the administrative service, some of them rising to the highest ranks. One has only to mention the names of Lord Lugard, a soldier, Sir James Maxwell, a doctor and lawyer, both at the top on the West Coast; Sir Robert Coryndon, a soldier policeman, and Sir Lawrence Wallace, a surveyor, on the other side. The author follows the current fashion in some circles by including derogatory innuendoes aimed at the old administrative service. It is a fashion which seems to grow as the Service shrinks.

Biographies of colonial governors mirror the contemporary histories of the countries they governed and in doing so provide their authors with opportunity to project their own ideas and conclusions on the wide range of activities and policies with which their heroes are concerned. This volume is no exception. It not only covers the origins and life of Guggisberg who did so much to build on the sure foundations laid by his brilliant predecessor, Sir Hugh Clifford, but also ranges widely and usually with a sure touch over the most important problems and undertakings of the time. We are told the story of the founding and completion of Achimota College, which symbolised a new and realistic education policy, with which were associated those other two remarkable men, Dr. Aggery and the Rev. A. G. Fraser, who incidentally did much for Guggisberg in a more personal sphere. We read of the establishment of the teaching hospital, Korle Bu, a landmark in the development of medicine and medical training; then of the drive in all directions to improve communications, culminating in the building of Takoradi harbour to speed the development of the economy and so to provide the wealth to develop the education and other services and thus the prosperity and development of the people.

This and much more; but few can flog themselves with impunity for many years in the tropics without respite and we are told finally how, in failing health, this strange man retired from his final commission in British Guiana to live alone on a small pension and to die in a seaside boarding house. It remained for the paramount chiefs and people of the Gold Coast and Ashanti to make a pilgrimage to his neglected grave and on it to erect a headstone to his everlasting memory as a symbol of their trust and affection.

Of special interest to readers of this Journal are the chapters touching on administration, including local government and the public services, although they sometimes reveal an unduly critical attitude towards the policies and administrative services involved, without, however, suggesting what alternatives should have been pursued. It is not unusual for commentators to criticise that form of administration which became known as indirect rule, associated with the names of Lugard and Cameron, although it had been practised in many countries long before their time. We should welcome the criticisms, but would wish that Mr. Wraith and others would make it clear how else a handful of administrative officers with exiguous means, untrained assistants and poor communications could have established and maintained law and order and laid the foundation for the development of social services, economic

progress and the beginning of a viable administrative system by other means in the circumstances of the times. Indirect rule, or rule through such indigenous authorities as there were, was the method of administration almost always adopted by British governors in Africa at that time, not only because it was the most practical method, but because it was their unanimous considered opinion that to build upon existing foundations was the right course to adopt on the road to eventual self-government. That some administrators sometimes tried to make facts fit theories instead of the other way round did not necessarily make the policy less sound. It is true that the effort to support and build up the responsibilities of indigenous authorities adopted by Guggisberg and his contemporaries had serious weaknesses, one being the danger of these authorities transferring their dependence on their people and their welfare to the central government, but it has yet to be shown that a more sophisticated method of local administration founded, for instance, on elected councils and paid local officials would have been as efficient in the circumstances of that time, even if it had been possible. It was that great African governor, Eboué, who was especially emphatic in his conviction that the patrician rule by a chief and council was, from the African point of view, much to be preferred to that of salaried junior officials having no traditional responsibility towards those with whom they worked.

Whatever the shortcomings of the policy of building up from the grass roots as advocated and adopted by leading administrators between the wars, it had great merits and played an important part in maintaining an era of peace, order and good government throughout much of Africa. The efforts made by Guggisberg and others to bridge the gap between the more and the less educated and sophisticated by broadening the base of indigenous institutions were by no means all failure, especially where such institutions were more highly developed. It was a policy which demanded continuous study, review and adaption, which men such as Guggisberg gave it, and some may feel that his cautious approach to the reform of local administration was not a symptom of 'fumbling', as suggested by Mr. Wraith (p. 90), but rather one of laudable caution, which later developments have continued to justify.

There were giants in those days. May more of them have biographers such as Mr. Wraith. Though many will disagree with some of the views he expresses, he tells an intensely human story of an heroic man and period with understanding and sensitivity, adding in good measure a savour of puckish and pungent controversy to spice the whole. ROWLAND HUDSON

Modern Family Law in Southern Nigeria, by S. N. CHINWUBA OBI. *Sweet & Maxwell, London. African Universities Press, Lagos.* 1966. pp. 402. £4 17s. 6d.

Cases on the Criminal Law, Procedure and Evidence of Nigeria (excluding the North), by CYPRIAN O. OKONKWO and IAN MCLEAN. *Sweet & Maxwell, London. African Universities Press, Lagos.* 1966. pp. 396. £3 15s. 0d.

These two new volumes in the 'Law in Africa' series are welcome additions to the literature available to students and practitioners of Nigerian Law.

Dr. Obi's book is, as its title indicates, a study of *modern* family law;

and on the first page he poses the question: 'How much of the old family concept is left, and how far is the family in the Western sense an established social fact in Nigeria today?' It is significant, by way of commentary on the present state of African law in this field, that the author finds it necessary 'to concentrate on the customary law, only discussing English law or the relevant Nigerian statute law in so far as it modifies, derogates from, or supplements the rules of customary law.'

Dr. Obi does not confine himself to the subjects dealt with in a conventional treatise on marriage and divorce. His first three chapters, for example, are concerned with the 'extended family' and its principal organs – the family head and the family council. The remaining chapters (comprising Part Two of the book) deal with the 'elementary family'; under this head Dr. Obi examines not only the preliminaries, solemnisation and dissolution of marriage, but also the status, rights and obligations of husband and wife during the subsistence of the marriage and the relationship of parent and child, including adoption and guardianship.

The book is clearly written and attractively produced. Its value is enhanced by the provision of detailed references to the relevant authorities, including not only statutes and reported judicial decisions but a wide range of treatises (legal and anthropological) and articles in periodicals.

For the general reader, perhaps the most interesting feature of Dr. Obi's work is the light which it throws on the changing content of customary law. In the process of adapting the law to the circumstances of modern life, a variety of agencies are making their different contributions. Thus the statute book of Eastern Nigeria now contains an enactment which declares that a marriage between persons either of whom is under the age of sixteen shall be void – a provision which, Dr. Obi points out, effects a substantial alteration in the local customary laws. (Incidentally, it would be interesting to have more information about the extent to which this provision is actually enforced). But direct interference of this kind is exceptional. More commonly the process is of an evolutionary character; and it appears to be connected in some instances (e.g. divorce) with a widening of the activity of local courts. Nigerian customary institutions are perhaps at the stage of development at which, in the words of Sir Henry Maine, law tends to be 'secreted in the interstices of procedure'.

In contrast to Dr. Obi's work, the second book under review is concerned almost entirely with non-indigenous law. It is designed as a handy work of reference for both students and practitioners; and it will certainly be a useful supplement to the existing textbooks. Primarily it is a collection of reported judgments bearing on the interpretation and application of the different enactments which govern the administration of justice in criminal matters. It is however, something more than a compilation; for the authors have attached to each section an admirably clear and concise introductory text – a feature of the work which adds greatly to its usefulness. There are, moreover, copious references to the main textbooks, especially 'The Criminal Law of Lagos and Eastern and Western Nigeria' by Sir Lionel Brett and Mr. McLean.

A book of this kind shows how closely the equipment of the Nigerian lawyer resembles that of his colleagues in the English courts.

ARTHUR PHILLIPS

Asian Bureaucratic Systems emergent from the British Imperial Tradition, ed: RALPH BRAIBANTI; *Duke Commonwealth Studies Center, U.S.A.;* pp. 733 with index; $17.50.

The Duke University Commonwealth Studies Center has previously published twenty-seven valuable books dealing with Commonwealth development and its attendant problems. In this new and impressive volume a thorough clinical examination has been made, by a team of nine international specialists, of the bureaucratic systems now operative in India, Pakistan, Ceylon, Malaya and Burma—systems which actually had their origin in the Mughal Empire, but grew and developed under British rule during two centuries. The case of Nepal has also been considered, as a neighbour of India, never under foreign domination, in which Western ideas had some indirect influence.

The series of synoptic studies is deeply interesting. Some of them such as "Structure of the British Imperial Heritage", by Professor Hugh Tinker (University of London), and "Recruitment and Training 1600-1860", by Professor Bernard Cohn (University of Chicago), exercise all the fascination of a romantic period in history. Certain of the specialists were themselves once part of the bureaucratic systems which they analyse. All write with convincing authority.

In an excellent Introduction Professor Braibanti (Duke University), himself an obvious perfectionist, emphasizes the numerous difficulties which have to be met in collating a series of integrated studies of this kind and half-apologizes because they (the studies) "are affected by dilemmas, uncertainties and adverse conditions," which have been discussed in earlier pages. Professor Braibanti (who was from 1960 to 1962 Chief Adviser to the Civil Service Academy in Pakistin then proceeds to contribute a thesis on "The Higher Bureaucracy of Pakistan", extending over nearly 150 pages, which analyses the system in minute detail and contains supporting tables worthy of a decennial census report. To a reviewer who was a Civil Servant in India and Pakistan for over thirty years the modesty of that introduction is quite entrancing.

A large company of students of all ages who are likely to be attracted to this book will wish to know something of the authorities not already mentioned, who have contributed to it. David C. Potter, Assistant Professor of of Political Science at Simon Fraser University in British Columbia has written on "Bureaucratic Change in India", and James F. Guyot, Assistant Professor of Political Science at the University of California at Los Angeles on "Bureaucratic Transformation in Burma". Sir Charles Collins, who was for thirty-eight years in the Ceylon Civil Service, has contributed "Ceylon; The Imperial Heritage" and Robert N. Kearney, Assistant Professor of the University of California at Santa Barbara "Ceylon, The Contemporary Bureaucracy". Robert O. Tilman, Assistant Professor of Political Science at Yale University, has dealt with "Bureaucratic Development in Malaya", and Merrill R. Goodall, who was Adviser to the Government of Nepal, has examined comparatively recent administrative changes in that country.

The bureaucratic system which before independence proved an instrument of near perfection in most of the provinces of India, and rendered the transfer of power in 1947 so comparatively easy was at the end of the 18th century found quite easily adaptable to the indigenous systems of Ceylon and

Malaya, but not so well suited, some decades later, to Burma, for it had little compatibility with the social structure of that land. The happy association of British officers with Indians, Pakistanis Malayans and Sinhalese was not, it seems, really reflected in the Burmese administration.

In all the studies the important role of an élite service is continually prominent. It is recalled that the modern British Civil Service was itself modelled on that of India. The influence of the élite cadre and thus of British tradition is, it is agreed, still very strong (although it may not be officially acknowledged) especially in India and Pakistan with their contrasting forms of Government. That influence is likely to remain felt for many years to come in all the countries examined—except perhaps Burma. As stated by the Editor: "In none of the six systems studied do we find a significant transfer of the skills and status of bureaucracy to the realm of politics."

The documentation and indexing of this volume are very good.

HAROLD SHOOBERT

Other Books Received

Effective Aid, *Overseas Development Institute;* pp. 131; 15s.

O.D.I. have performed a valuable service in publishing this account of the 1966 Conference at Ditchley Park at which high-powered participants from four donor countries (U.K., U.S.A., Germany and France) discussed questions of practical aid policy. From America it was emphasised that 'aid's "influence potential" was much more important than its resource contribution'; recent aid to developing countries represented some 20 per cent. of total investment; clearly of greater importance in accelerating growth was the remaining 80 per cent. locally invested; how far should donors exercise influence on the policies involved? To the maximum possible, otherwise notwithstanding failures, no great success would be achieved, was the American view also followed by France; donors cannot be sure that they are right, newly independent countries are sensitive towards interference, they should provide the initiative, we should exert influence with care and restraint, was the Anglo-German view.

It is to be hoped that this pamphlet will receive the wide readership it merits.

British Development Policies, 1669, *Overseas Development Institute;* pp. 85; 8s. 6d.

This O.D.I. survey is full of useful information and, despite the theme, the text is lively.

Attention is drawn to the public indebtedness of developing countries which reached some £11,800m. by 1964 with a recurrent and rising service charge of over £1,000m. If payments due are honoured many countries will suffer a set-back to their development prospects; if they are dishonoured not a few will suffer a further set-back to frail credit-standing; the third course is postponement or rescheduling of debts; 'effective action on the debt problem requires international co-operation'. Britain's long-term interest-free loans are cited as steps in the right direction for dealing with the burden of debt servicing.

O.D.I. will not expect the British Government to give any blanket approval to the 33 conclusions and recommendations which include an appeal for more aid; the increase urged is £100m p.a. as much as possible to be channelled through I.D.A.; 'one per cent. and all that' should be reviewed with the objective of stimulating a greater than minimum-set performance. On the more practical side H.M.G. is urged to freeze the subsidized beet acreage (and thereby aid the Caribbean), to assume the full cost of paying the pensions of former colonial civil servants (now met indirectly in a number of cases) and to introduce a two year period of service for young volunteers going overseas.

Aid Management Overseas, by Tom Soper, *Overseas Development Institute,* 1967; pp. 31; 5s.

The closest possible relationship — informal contacts, exchange of ideas and experience, between donor representatives themselves and especially between these representatives and the people of and in an aid-receiving country, are essential if aid is to be co-ordinated and made effective. Visiting missions can and do contribute usefully but they are no adequate replacement for permanent representatives on the spot. This is the theme of Dr. Soper's new and stimulating pamphlet in which he calls for greater importance to be attached to the posting of personnel, suitably aid-orientated, to Embassies and High Commissions. He cites the success of the Middle East Development Division (of the Ministry of Overseas Development) in Beirut, emphasises the continuity maintained there and recommends that a similar divisional system be applied to more regions, reckoning that the cost would be amply repaid by the more effective management of aid.

Race Relations in the British Commonwealth and the United Nations, by Lord CARRADON. *Cambridge University Press,* 1967; pp. 25; 5s.

This slender volume contains Lord Carradon's 1966 Smuts Memorial Lecture in

which he draws upon history and upon his own wide personal experience for the illustrations to his lesson on racial understanding, equality and justice.

The finely written and moving text gains in quality from its very simplicity. Lord Carradon's case is unanswerable: it will fortify believers; it will do the unconverted good to read even if they are beyond redemption.

Handbook of Training in the Public Service, *United Nations, New York,* 1966; pp. 307; U.N. Sales No. 66. 11.H.1 $4.00.

The Preface to this publication says that although it is 'intended primarily for the guidance of officers having immediate responsibility for training, it contains a review of experience under widely differing conditions and much advice which should prove to be useful to policy-forming officers such as Ministers, heads of agencies, and highest administrators, as well as members of legislative bodies who may have under consideration from time to time the creation of training institutions, or plans and budgets for training programmes'.

A glance at the Contents page shows that the range of subjects covered fully justifies the claim made in the preface. The Handbook represents the accumulation of knowledge and experience of a wide range of experts as will be apparent by reference to the various sources quoted in the text, and also the names of the members of the Working Party who reviewed this publication in draft form.

The Handbook sets out to cover all aspects of education and training for the public service. It also describes the different methods used in various countries in training public servants, and formulates guide-lines on all phases of training operations in the Civil Service. It suggests how training programmes should be planned, and sets out the factors to be borne in mind in setting up a new training centre. It provides a fund of advice on every aspect of training and will undoubtedly become the basic reference book for this subject.

The Handbook should also fulfil another function. For those concerned with promoting training, as well as those anxious to assist them, it provides a yardstick by means of which both parties can assess future plans for Civil Service training against proper experience elsewhere.

Trade Unions in Africa, by JEAN MEYNAUD & ANISSE SALAH-BEY. *Methuen & Co.* 1967; bibliography, glossary, appendix; pp. 242; 63s.

This volume contains a great deal of information and many useful references which should be of much value to any student of the trade union movement in Africa.

The authors suggest that the difference between Franco-phone and Anglo-phone trade union development was more apparent than real and argue in the case of former British territories that while unions were imported it was not through the benevolence of the Colonial power but as an attempt to control the inevitable. But citing a few labour disturbances does not suffice to make a fallacy of the opinion quoted 'that the colonial unions have not had to sustain a long and sometimes bitter struggle to secure their legal rights'; compared with other continents it can still be said that, in much of Africa, trade unions were officially encouraged and thereby much industrial strife was avoided.

In conclusion the authors point out that uniquely the emergence of African trade unionism coincided with that of nationalism and thereby forged close ties with political parties. They believe that trade unions should play a part in developing planning and should take the risk of union/government conflict in putting forward their views, since governments must depend on their support; but they must avoid becoming a radical opposition, else governments may react vehemently. 'Put your case but be careful' is the theme and in fact as the final paragraph suggests 'the field of action open to African trade unionism is restricted and will probably remain so for some time'.

Bechuanaland, by B. A. YOUNG. *H.M. Stationery Office, 1966*; pp. 127; illustrations, reading list, map & index; 20s.

This book, produced in the Corona Club library series, provides an admirable general picture of Bechuanaland on the threshold of becoming independent Botswana. Felicitously written and excellently produced with good illustrations—both drawings and photographs, it is a model of what a guide should be: many readers (and many are deserved) will feel an urge to see for themselves this most interesting game and cattle country in Southern Africa.

West African Kingdoms in the Nineteenth Century, edited by DARYLL FORDE and P. M. KARBERRY; *Oxford University Press,* **1967;** with index; pp. 289; 50s.

The International African Institute present ten studies of West African Kingdoms, both franco — and anglophone, by a strong team of contributors.

Here is history written by the social anthropologist and based, in part, on recent field work. The social history recounted is not readily available elsewhere and the student of Africa will find much of interest in this glimpse of the immediate pre-colonial era and a perspective with which to help judge the subsequent short epoch from which nationalism and society in the present independence era have emerged.

Reading on Economic Development and Administration in Tanzania, ed. HADLEY E. SMITH; *Oxford University Press,* **1967;** bibliography; pp. 598; 45s.

The editor has collected 47 readings from 33 sources to provide the economist and the student with a wealth of information on the economy, economic policies and trends in Tanganyika (which remains the correct description of the mainland of Tanzania). Inevitably information as to Zanzibar is scant and there is no mention of the Ross Committee whose work was doubtless too late for inclusion. As emphasised by the World Bank Mission in the selected extracts reproduced on Pages 335 — 347, Tanganyika is an agricultural country and 'the task of securing widespread income increase is a major degree one of agricultural and livestock development'.

Economic policies have recently seen radical change but to understand the background thereto, this volume will remain an invaluable source.

Creating Political Order, by ARISTIDE R. ZOLBERG; *Rand McNally, Chicago;* pp. 176 $2.50.

Nearly half of this book deals with Ghana and was written before the fall of Nkrumah. The author has added a footnote suggesting that events there followed the theme of his argument: while this is not, perhaps, altogether clear, he does, however, foresee 'a sort of institutionalised instability, just as in Latin America over many decades the "coup" became an institution'.

Africa Since 1800, by ROLAND OLIVER & ANTHONY MOORE. *Cambridge University Press,* 1967; pp. 304 with maps and index; 25s. (school ed. 10s. 6d.)

The authors cover a very broad canvas in a small compass; this does not permit study in depth but provides, for the beginner, a very useful outline of some 165 years of African history.

The International Law of the Great Lakes, by DON COURTNEY PAPER; *Duke University Press, U.S.A;* appendices, bibliography, Index; $6.50.

That the Governments of Canada and the United States have been able to resolve amicably the many complex problems arising from their common border along the St. Lawrence river and the Great Lakes, presents a valuable lesson to other countries with similar international boundaries. Dr. Piper provides a full description of the international system operating this satisfactory regimen.

Canada and 'Imperial Defense', by RICHARD A. PRESTON. *Duke University Press, U.S.A.;* with bibliography and index; pp. 576; $12.50.

This major study of British Commonwealth defence organisation examines in detail how a high degree of successful military co-operation was evolved which brought success in two world wars; and which, it is suggested, may not be without value to the United Nations as an example of international effort integrated on a military basis in accord with the national sentiments of the countries concerned.

The International Law Standard and Commonwealth Developments, edited by ROBERT R. WILSON. *Duke University Press, U.S.A.* with appendix & index; pp. 306; $9.50.

Five authors contribute to the ten aspects of international law in Commonwealth relationships studied in this volume. With the end of the colonial era and the new diversity of the Commonwealth with its many newly independent nations, Mr. Wilson, in his final 'appraisal' chapter, concludes that the tendency is now for international law to replace that acquired by a past special relationship; but that the transition now well under way has been eased by the former legal arrangements, not all of which are disappearing and for some there is a common desire for their continuance.

Revolution in Pakistan, by HERBERT FELDMAN. *Oxford University Press,* 1967; appendices & index; pp. 242; 35s.

Mr. Feldman, without making a study in depth, provides a good background picture of development administration in Pakistan as influenced by the military regime which evolved the 'basic democracies' concept during the immediate post-revolution period of martial law.

Paraguay, by GEORGE PENDLE; *Oxford University Press,* 1967; pp. 96; with appendices, bibliography & index; 21s.

Published in the Chatham House series on Latin America, in this third and revised edition, Mr. George Pendle provides the general reader with a sympathetically drawn informative picture of Paraguay – its history, its people and their occupations, and having introduced many to a new country offers a wide reading list to any who wish to pursue their study further.

Errata

In the April 1967 issue of the Journal, Sir Kenneth O'Connor's review of the Annual Survey of Commonwealth Law, Page 135, Para 3, lines 4 and 5; the word 'Counts' should be substituted for 'Courts'.

Printed in England for HER MAJESTY'S STATIONERY OFFICE
by Trafford Press Ltd., Manchester 16

Dd. No. 133096. 5/67. K13.

THE BRITISH COMMONWEALTH
The Development of its Laws and Constitutions

No. 14 NIGERIA

by Dr. T. O. Elias, Q.C., B.A., Ph.D., LL.D. (Lond.), Professor and Dean, Faculty of Law, University of Lagos; Attorney-General of the Federal Republic of Nigeria.

Dr. Elias provides a detailed account of the historical evolution of the legislature, the executive and the judiciary. In particular the chapters on Federal Legislature, the Federal Executive, the Regions and the Judiciary represent a comprehensive analytical treatment of the subject. The full discussion reveals most of the classic, crucial and juristic problems common to federal constitutions and the comparative approach adopted throughout should not only help to explain more clearly the Nigerian constitution but should be of great interest to comparative lawyers generally. Economic and social aspects are dealt with in chapters on Public Corporations, the Allocation of Revenue and Public Finance, and the Agencies of Co-operation within the Federation. Helpful chapters deal with the law of the professions as well as commercial and industrial laws. A significant chapter contains a discussion of the provenance and application of the laws on fundamental rights.

It is appropriate that this valuable addition to the British Commonwealth series, covering one of the major States of the Commonwealth, should appear under the authorship of an eminent African lawyer, whose previous writings on African law have been so warmly received all over the world. Dr. Elias' work must be valuable not only to legal practitioners in Nigeria, and those advising on transactions involving Nigerian affairs, but also in the growing number of law schools in West Africa.

Postages: Bound: 5/-, Paperback: 3/-. Price in U.K. Bound: £5 10s. net.
1967 Paperback: £2 15s. net.

No. 4 NEW ZEALAND

Under the General Editorship of J. L. Robson, LL.M., Ph.D.

With Specialist Contributors. **SECOND EDITION**

Over the last 100 years the political, social and material changes in New Zealand have been very rapid, and it is the purpose of this book to show how the law has responded to these changes and to relate legal development to the social forces behind it. There has been considerable revision in this new edition made necessary by legislation over the past twelve years, and several of the chapters have been completely re-written.

After a short Introduction there are separate chapters, by leading experts, on Parliament, the Judicial System, Administrative Law, Social Legislation, Industrial Relations, Monopoly and Price Control, Marketing Boards, Exchange Control and Banking, Criminal Law, Law of Property, Commercial Law and Torts and Family Law. Finally there is a chapter which discusses Legal Trends within New Zealand.

1967 Price in U.K. £5 5s. net. Postage 1/-

STEVENS 11 New Fetter Lane, E.C.4.

Bookshop: 23 Chancery Lane, W.C.2.

THE JOURNAL OF MODERN AFRICAN STUDIES

Editors:
David and Helen Kimble
Vol. 4, No. 3, November 1966

ARTICLES

DR. DONALD ROTHCHILD
The limits of Federalism: An examination of Political Institutional transfer in Africa

PROFESSOR ALI A. MAZRUI
The English Language and Political consciousness in British Colonial Africa

DR. CHRISTIAN POTHOLM
Changing Political configurations in Swaziland

DR. G. O. OLUSANYA
The Zikist Movement—A study in Political Radicalism, 1946–50

R. F. EWING
Some recent contributions to the literature on economic development

REVIEW ARTICLE: AFRICANA REVIEWS

The subscription price is 40s. per volume (4 parts)
Orders may be placed with your bookseller, or sent to:

Cambridge University Press,
Bentley House, 200 Euston Road, London, N.W.1

YOUR PROBLEMS

PRESENT:	FUTURE:
Adequate Family Protection	Educational Provision
Improved Investment Yield	Pension Augmentation
Income Tax Saving	House Purchase

These can be solved by modern 'programmed' LIFE ASSURANCE, specially 'tailored' by an EXPERT to 'fit' your own requirements, rather than by haphazard policies. Whilst achieving this, the Income Tax rebate on premiums is equal to a return of as much as 22½% per annum (NIGERIA) on your money, apart from *Tax-free* profits, making this the best Investment available today.

SPECIAL TERMS FOR MEMBERS OF H.M.O.C.S. (including advice on investment of EARLY RETIREMENT GRATUITY (L.S.C.) to best advantage).

Detailed advice, entailing no obligation, will be forwarded, on learning your date of birth and requirements, by:—

FRANK S. ULYATT
(JOHN ULYATT & W. MICHAEL KINGSTON, A.C.I.I.)
Insurance Consultants
19-21 MUSTERS RD., TRENT BRIDGE, WEST BRIDGFORD, NOTTINGHAM

Don't take risks with Insurance Consult an expert BROKER, who will give you the benefit of many years' experience and recommend the BEST Company for your needs.

This is where we are

Total Branches: Asia 80, Africa 97

This is what we do

We provide short term finance for foreign trade in suitable cases and arrange 'forward' exchange contracts.
We give expert information on markets, local conditions, exchange control, import and export regulations.
We advise on ways to make or obtain payment on shipping, insurance, and the other technicalities of international trade.
We arrange payment in any currency subject to Exchange Control regulations.
We offer, in fact, a complete service to IMPORTERS and EXPORTERS in any area—not only in the countries shown above but throughout the world, and we arrange for advice to industrial and commercial customers on all forms of finance. In short, we are bankers—international bankers.

NATIONAL AND GRINDLAYS

BANK LIMITED

Head Office: 26 Bishopsgate, London, EC2

Associated Banks and Companies

Wm. Brandt's Sons & Co. Limited.
National and Grindlays Finance and Development Corporation Limited.
Exporters' Refinance Corporation Limited.
Addis Ababa Bank S.C.
National Bank of Dubai Limited.
Bank of South Arabia Limited.

S.O. Code No. 72-